

Belleville Township

Housing Element & Fair Share Plan



Adopted: October 30, 2008

John Madden, PP #1452, AICP

The original of this report was signed and sealed in accordance with NJSA 45:14A-12.



ACKNOWLEDGEMENTS

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INTRODUCTION

According to the Fair Housing Act of 1985, and subsequent Mount Laurel I (Burlington County N.A.A.C.P. v. Township of Mount Laurel, 67 N.J. 151 (1975)) and Mount Laurel II (South Burlington County N.A.A.C. P. v. Mount Laurel, 92, N.J. 158 (1983) decisions, a Housing Plan Element must be designed to address the municipal fair share for low and moderate income housing as determined by The New Jersey Council on Affordable Housing (“COAH”), which is charged with determining need and creating the standards by which the Act is carried out.

This is Belleville Township’s first Housing Element and Fair Share Plan (“HEFSP”) under COAH’s new Third Round methodology for the period 2004 to 2018. COAH substantially redesigned the process that provides affordable housing opportunities in New Jersey municipalities. During the First and Second Rounds, using a predetermined formula, COAH prescribed a specific number of units for which a municipality had to provide a realistic opportunity. The prescribed number was based on housing and employment conditions in the municipality, any remaining prior round unit obligation that was not constructed, or otherwise committed for, and deficient housing units occupied by low and moderate income housing units, known as the rehabilitation share.

The Third Round methodology adopted in June 2008 requires that a municipality’s fair share consist of three elements:

- Rehabilitation share;
- Any remaining Prior Round obligation that was not provided for;
- Growth Share
 - For every four market residential units that receive a certificate of occupancy one new affordable housing unit must be created.
 - For every sixteen jobs created upon receipt of certificates of occupancy as a result of non-residential new construction or expansion of existing residences, one affordable unit must be created using COAH formulae relating built space to number of employees.

Municipal Summary

The Township of Belleville is located in Essex County and considered by the State as a Metropolitan Planning Area. The Township is characterized mainly by single family homes, an older industrial section known as the Valley, a “main street” with a variety of commercial and service-type establishments and the Silver Lake neighborhood, which is served by the Newark subway line. Belleville is bordered by Nutley, Kearny, North Arlington, Newark and Bloomfield.

Between 1990 and 2000, Belleville’s population increased to 35,928, after decreasing for the prior two decades. The Township is projected to steadily grow in small increments between now and 2030, according to New Jersey Transportation Planning Authority (NJTPA).

COAH has determined that Belleville has a rehabilitation obligation of 249 units, no prior round obligation and a growth share obligation of 123 units. This is a combined total of 372 units. The chart below shows the Township’s COAH components.

BELLEVILLE TOWNSHIP: COAH OBLIGATION				
Rehabilitation	Prior Round	Housing Allocation	Employment Allocation	Growth Share
249	0	311 ÷ 5 62.20	980 ÷ 16 61.25	123

Belleville has identified 57 housing credits from rehabilitations and 25.75 credits from existing group homes. Strategies to meet Belleville’s Growth Share include:

- Existing group homes
- Washington River Run inclusionary development
- Proposed Franklin Group age-restricted affordable development
- Inclusionary Zoning
- Development Fee Ordinance
- Municipally-sponsored and 100% affordable developments

Goal

It is the overall goal of Belleville's Housing Element and Fair Share Plan, in combination with the Land Use Plan, to provide the planning context in which access to low and moderate income housing can be provided in accordance with the requirements of the Fair Housing Act and the laws of the State of New Jersey.

CONTENT OF HOUSING ELEMENT

The Municipal Land Use Law ("MLUL") requires that "the housing element be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low and moderate income housing". A municipal master plan must contain a housing element to give a municipality protection from 'builder's remedy lawsuits' through the COAH process. As per the MLUL, the housing element must contain at least the following items:

1. Minimum requirements contained in N.J.S.A. 52:27D-310
 - a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
 - b. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
 - c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
 - d. An analysis of the existing jobs and employment characteristics of the municipality, and a projection of the probable future jobs and employment characteristics of the municipality;
 - e. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing; and
 - f. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for



conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

2. Household projection in Appendix F(2) of COAH's Third Round Rules
3. Employment projection in Appendix F(2) of COAH's Third Round Rules
4. Prior round obligation in Appendix C of COAH's Third Round Rules
5. Rehabilitation share in Appendix B of COAH's Third Round Rules
6. Projected growth share in accordance with N.J.A.C. 5:97-2.4

Supporting Information to be submitted:

7. Copy of most recently adopted municipal zoning ordinance
8. Copy of most up to date tax maps



HOUSING ELEMENT

A. HOUSING DEMOGRAPHICS

As of the 2000 census, there were 14,144 total housing units, of which 413 were vacant, in Belleville Township. The majority of the Township's housing stock consists of multi-family housing. The Township's housing stock includes single-family detached units, single-family attached units, multi-family dwelling units, and mobile homes. Single-family detached dwellings totaled 5,205 or 36.8 percent of the total housing stock. Including the 538 single-family attached dwelling units, single-family dwelling units account for 40.6% of the Township's total housing stock. Multi-family units containing 2 or more units in a structure totaled 8,391 or 59.3% of the total housing stock; of those units 1,464 or 10.4% contained twenty or more units. Of the 13,731 occupied housing units in the Township, 6,997 units, or 51% were owner occupied and 6,734 units, or 49% were rentals. Belleville Township had a median of 4.9 rooms per unit.

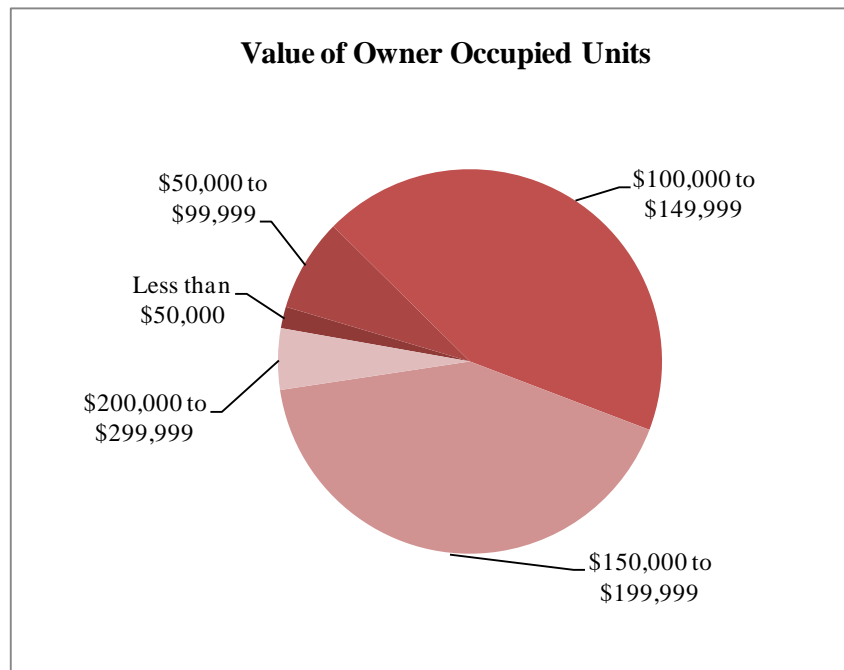
HOUSING TYPE BY UNITS IN STRUCTURE		
Unit Type	Number	Percent of Total
1, Detached	5,205	36.8%
1, Attached	538	3.8%
2	3,240	22.9%
3 or 4	1,593	11.3%
5 to 9	896	6.3%
10 to 19	1,198	8.5%
20 or more	1,464	10.4%
Mobile Home	10	0.1%
Other	0	0.0%
Total	14,144	
Vacant Units	413	
Median Rooms Per Unit	4.9	

Sources: US Census Bureau DP-4 Profile of Selected Housing Characteristics: 2000;
DP-1 Profile of General Demographic Characteristics: 2000



Purchase and Rental Value of Housing Stock

According to the 2000 US Census, Belleville Township had 4,850 owner occupied units. The largest percentage of which was in the \$100,000 to \$149,999 accounting for 43.4 percent of the total number of units. The median value of owner occupied housing in Belleville Township was \$147,500 according to the 2000 census.



VALUE OF OWNER OCCUPIED UNITS		
Value	Number of Units	Percent of Total
Less than \$50,000	88	1.8%
\$50,000 to \$99,999	379	7.8%
\$100,000 to \$149,999	2,104	43.4%
\$150,000 to \$199,999	2,029	41.8%
\$200,000 to \$299,999	250	5.2%
\$300,000 to \$499,999	0	0.0%
\$500,000 to \$999,999	0	0.0%
\$1,000,000 or more	0	0.0%
Total Units	4,850	
Median (in dollars)	\$147,500	

Source: US Census Bureau DP-4. Profile of Selected Housing Characteristics: 2000



According to the 2000 Census, there were 6,736 renter occupied units in Belleville Township. Of those units, 14.9 percent cost more than \$1,000 per month. The median gross rent for Belleville Township was \$752.

COST OF RENTALS		
Cost	Number of Units	Percent of Total
Less than \$500	317	4.7%
\$500 to \$749	2,942	43.7%
\$750 to \$999	2,469	36.7%
\$1,000 to \$1,499	809	12.0%
\$1,500 or more	56	0.8%
No cash rent	143	2.1%
Total Units	6,736	
Median (in dollars)	\$752	

Source: DP-4. Profile of Selected Housing Characteristics: 2000

Condition of Housing Stock

The Census does not classify housing units as standard or substandard, but it can provide an estimate of substandard housing units that are occupied by low and moderate-income households. COAH uses the Census to determine which units are occupied by low and moderate-income households. COAH then analyzes the low and moderate income housing stock based on the year the structure was built, persons per room, plumbing and kitchens, heating, sewer and water. Although any of these characteristics may not signal a deficient structure, a unit may be considered deficient if it is occupied by a poor household, is more than 50 years old and contains a single deficiency, or if the structure is 50 years old or less with an additional detrimental condition and occupied by a poor household. To actually qualify for housing deficiency, a record of the unit must be made from the field, physical insufficiency including such as incomplete or inadequate kitchen and plumbing, crowding, inadequate heating fuels, and insufficient sewer and water resources must be noted, and the unit must be identified as less than adequate.

Year Structure Built

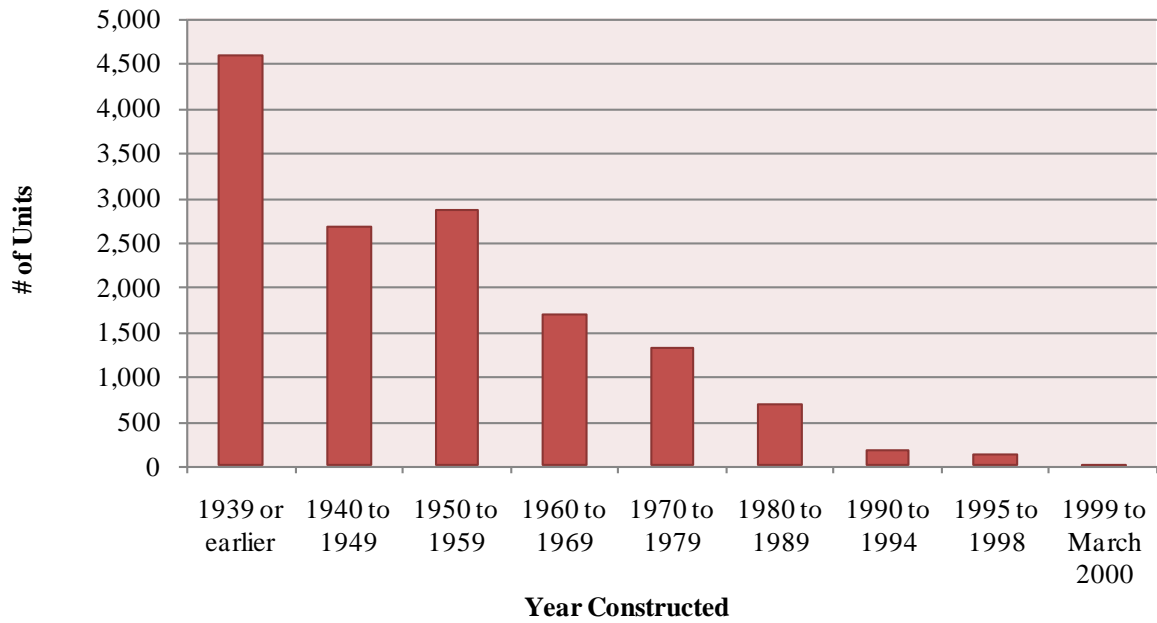
The Census does not classify housing units as standard or substandard, but it can provide an estimate of substandard housing units that are occupied by low and moderate income households. COAH uses the Census to determine which units are overcrowded with more than one person living per room and dilapidated – lacking complete plumbing and/or kitchen facilities. COAH computes a municipality's rehabilitation share by adding together the number of overcrowded and dilapidated units and then multiplying that sum by the municipality's regional low/moderate-income deterioration share. Subtracted from this result is any rehabilitation share credit.

Year Structure Built

COAH's new methodology for calculating rehabilitation has made one significant change from the methods presented in the original Third Round Rules. Housing units built in 1949 or earlier are now flagged instead of units built in 1939 or earlier. Research has demonstrated that units built 50 or more years ago are much more likely to be in substandard condition. Included in the rehabilitation calculation are overcrowded units and dilapidated housing. Overcrowded units are defined by the U.S. Department of Housing and Urban Development as those with more than one person living per room. Finally, COAH includes dilapidated housing – lacking complete plumbing and/or kitchen facilities as reported by the 2000 Census.

Approximately 51.5 percent of Belleville Township's housing stock was built before 1950. Units built before 1950 is a factor in COAH's determine of each municipality's rehabilitation share. In Belleville, 7,276 units were constructed before 1950. COAH has cited an obligation of 249 rehabilitation units for the Township, reflecting the relatively good condition of these older homes. The years before 1940 produced Belleville Township's largest amount of housing units (4,607 units). Since the spike of development prior to 1940, residential development in the Township has slowed dramatically.

Age of Housing Stock



AGE OF HOUSING STOCK		
Year Built	Total Units	Percent
1939 or earlier	4,607	32.6%
1940 to 1949	2,669	18.9%
1950 to 1959	2,872	20.3%
1960 to 1969	1,691	12.0%
1970 to 1979	1,328	9.4%
1980 to 1989	679	4.8%
1990 to 1994	164	1.2%
1995 to 1998	128	0.9%
1999 to March 2000	6	0.0%
Total Units	14,144	

Sources: US Census Bureau Summary File 3, 2000
H-34 Year Structure Built

Persons Per Room

1.01 or more persons per room is an index of overcrowding. The majority of the occupied housing units have 1.00 occupants per room or less, and a total of 720 units may be overcrowded.

OCCUPANTS PER ROOM		
Occupants	Number of Units	Percent of Total
1.00 or less	13,011	94.8%
1.01 to 1.50	535	3.9%
1.51 or more	185	1.3%
Total Units	13,731	

Source: US Census Bureau DP-4. Profile of Selected Housing Characteristics: 2000

Plumbing Facilities

Inadequate plumbing are indicated by either a lack of exclusive use of plumbing or incomplete plumbing. The 2000 Census indicates that 64 units or 0.5% of the total housing stock within Belleville Township lacks complete plumbing facilities.

Kitchen Facilities

Inadequate kitchens are indicated by shared use of a kitchen or the lack of a sink with piped water, a stove or a refrigerator. The 2000 Census indicates that 71 units or 0.5% of the total housing stock within Belleville Township lacks complete kitchen facilities.

Heating Fuel

Inadequate heating is considered the use of coal, coke, wood or no fuel for heating. A total of 114 units or 0.8% of the total occupied housing units may have inadequate heating. Within Belleville Township, 14 units use wood, 16 units use coal or coke and 84 units do not use fuel for heating.

CONDITION OF HOUSING STOCK		
Fuel Type	Number of Units	Percent of Total
Lack of complete plumbing	64	0.5%
Lack of complete kitchen	71	0.5%
Lack of telephone service	92	0.7%
Lack of adequate heat	114	0.8%
Utility gas	9,394	68.4%
Bottled, tank, or LP gas	282	2.1%
Electricity	898	6.5%
Fuel oil, kerosene, etc.	3,018	22.0%
Coal or coke	16	0.1%
Wood	14	0.1%
Solar energy	0	0.0%
Other fuel	25	0.2%
No fuel used	84	0.6%
Total Units	13,731	

Source: US Census Bureau DP-4. Profile of Selected Housing Characteristics: 2000

Most of the Census indicators available at the municipal level indicate a sound housing stock. Approximately 5.2 percent of the units are occupied by more than 1 person per room. The vast majority of the housing stock has complete plumbing facilities, telephone service, and kitchen facilities. Most of the units are heated with standard heating fuels.

Because the majority of the housing stock in Belleville Township is relatively older, 7,267 units, or 51.5% of the existing housing units were built prior to 1950. Given this situation, there is the potential for a significant number of units in Belleville Township to be eligible for rehabilitation.



B. POPULATION DEMOGRAPHICS

As of 2000, Belleville Township's population was 35,928 persons, which represents a net increase of 1,715 persons or about 4.8 percent of the 1980 population level. Population increased by 5.0% between 1990 and 2000.

POPULATION GROWTH			
Year	Population	Population Change	Percentage change
1980	35,367	---	---
1990	34,213	-1,154	-3.3%
2000	35,928	1,715	5.0%

Source: US Census Bureau DP-1. Profile of General Demographic Characteristics: 2000, 1990, & 1980

By 2015, the NJTPA has projected that Belleville Township's population will increase to 36,520 or an increase of 592 persons.

PERMANENT POPULATION PROJECTION	
Year	Population
2005	36,140
2010	36,320
2015	36,520
2020	37,110

SOURCE: NJTPA, http://www.njtpa.org/planning/forecasting/forecasting_public_docs/FinalMCDforecasts.PDF

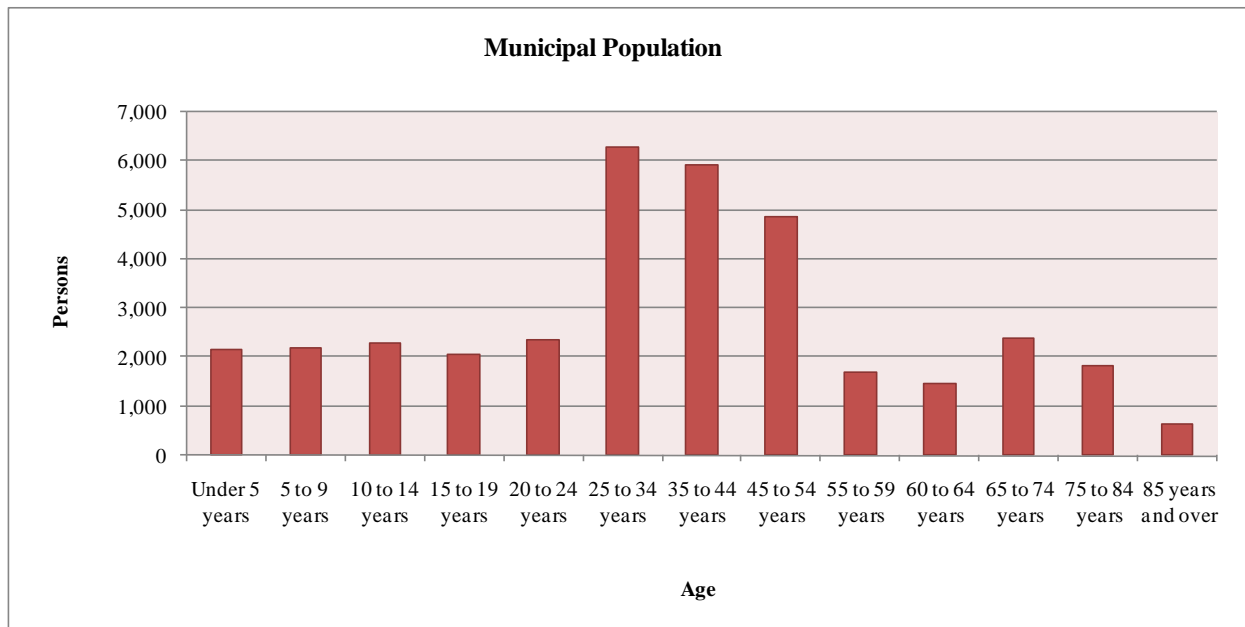
Household Type & Size

The 2000 Census reported Belleville having an average household size of 2.6 persons and an average family size of 3.23 persons. The types of households existing in Belleville are mixed, with 66.2% families and 33.8% non-families. Just 47% of households are married couples, while 13.9% are households headed by a female with no husband present. Finally, 9.1% or 1,244 households are persons living alone that are over 65 years of age.

HOUSEHOLD TYPE		
Type	Number	Percent
Family households (families)	9,091	66.2
With own children under 18 years	4,044	29.5
Married-couple family	6,455	47
With own children under 18 years	2,954	21.5
Female householder, no husband present	1,915	13.9
With own children under 18 years	837	6.1
Nonfamily households	4,640	33.8
Householder living alone	3,828	27.9
Householder 65 years and over	1,244	9.1

Source: US Census Bureau DP-1. Profile of General Demographic Characteristics: 2000

The median age in Belleville Township in 2000 was 36.2 years. About 13.4 percent or 4,806 residents are age 65 or older.



POPULATION BY AGE COHORT		
Age	Total	Percent
Under 5 years	2,133	5.9%
5 to 9 years	2,164	6.0%
10 to 14 years	2,271	6.3%
15 to 19 years	2,063	5.7%
20 to 24 years	2,337	6.5%
25 to 34 years	6,266	17.4%
35 to 44 years	5,918	16.5%
45 to 54 years	4,851	13.5%
55 to 59 years	1,680	4.7%
60 to 64 years	1,439	4.0%
65 to 74 years	2,384	6.6%
75 to 84 years	1,810	5.0%
85 years and over	612	1.7%
Total Population	35,928	

Source: US Census Bureau DP-1. Profile of General Demographic Characteristics: 2000

Age Distribution of Population

In 2000, 23.9% of Belleville's population was 19 years of age and younger, while 13.3% of the population, or 4,806 persons were 65 years or older. This represents a 3.6% decrease in the senior population from 1990 when there were 4,985 persons 65 years or older. Similarly, Essex County also experienced a 4.0% decrease in people over 65 years, while the State increased by only 7.9% against 1990 figures. Unlike the senior population, the Township's total population saw a net increase of 1,715 people. Belleville had a population increase of 10.6 percent based upon the Census data for 1990 and 2000, Essex County had an overall increase of 2.0% and the State had an increase of 8.9% in total population. Belleville is growing at a faster rate compared to the County and the State.



AGE DISTRIBUTION						
Age Group	Belleville Township		Essex County		New Jersey	
	Total	Percent	Total	Percent	Total	Percent
Under 5 years	2,133	5.9%	57,691	7.3%	563,785	6.7%
5 to 9 years	2,164	6.0%	60,021	7.6%	604,529	7.2%
10 to 14 years	2,271	6.3%	56,990	7.2%	590,577	7.0%
15 to 19 years	2,063	5.7%	52,725	6.6%	525,216	6.2%
20 to 24 years	2,337	6.5%	53,561	6.8%	480,079	5.7%
25 to 34 years	6,266	17.4%	119,423	15.1%	1,189,040	14.1%
35 to 44 years	5,918	16.5%	127,716	16.1%	1,435,106	17.1%
45 to 54 years	4,851	13.5%	102,840	13.0%	1,158,898	13.8%
55 to 59 years	1,680	4.7%	37,352	4.7%	423,338	5.0%
60 to 64 years	1,439	4.0%	30,664	3.9%	330,646	3.9%
65 to 74 years	2,384	6.6%	48,972	6.2%	574,669	6.8%
75 to 84 years	1,810	5.0%	33,097	4.2%	402,468	4.8%
85 years and over	612	1.7%	12,311	1.6%	135,999	1.6%
Total	35,928		793,363		8,414,350	
Median Age	36.2		34.7		36.7	

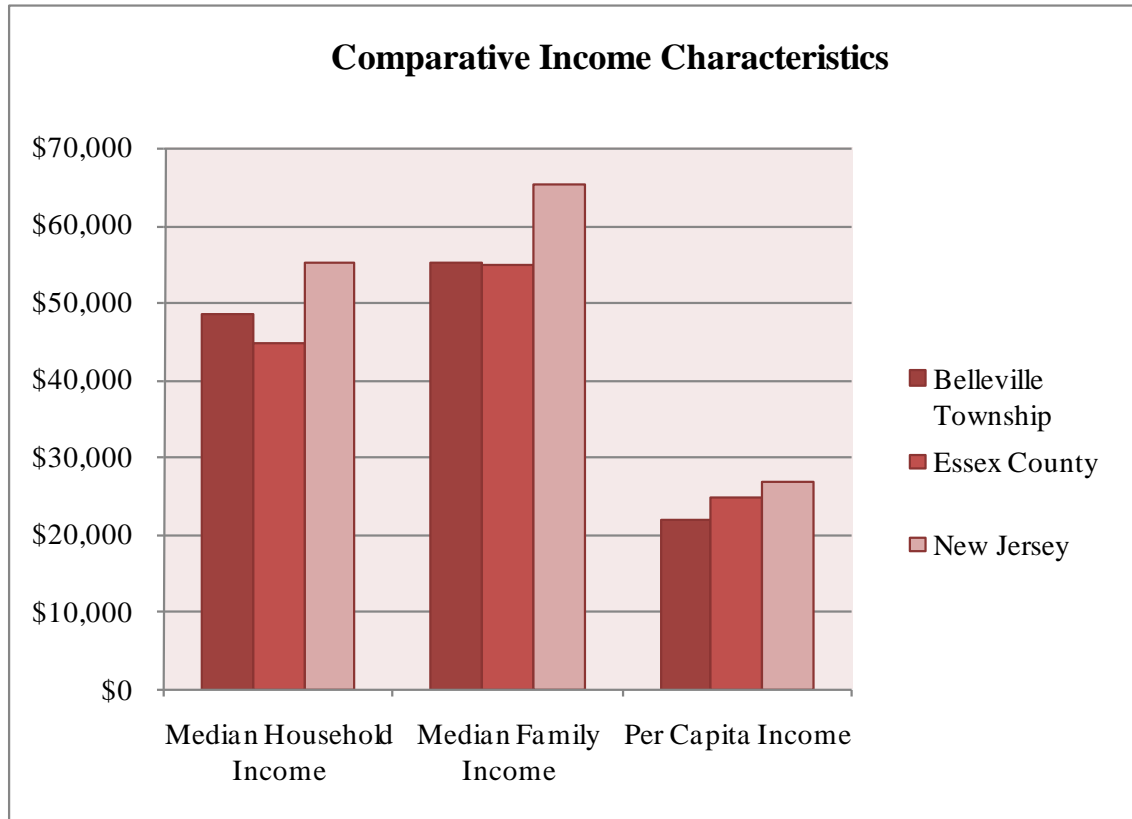
Source: US Census Bureau DP-1. Profile of General Demographic Characteristics: 2000

Income and Poverty Status

The 2000 Census indicates that the median household income in 1999 for Belleville was \$48,576. This is 7.5 percent higher than the median household income of Essex County, which is \$44,944. The State's median household income was \$55,146, approximately 13.5% greater than the Township's. The 1990 Census indicates that in 1989, the Township's median household income was \$38,507; there was a 26.1% increase from the 1989 to 1999 Census.

The per capita income is relatively lower in Belleville Township than Essex County, and the State. In 1999, Belleville's per capita income was \$22,093, which is \$3,635 less than Essex County's per capita income of \$25,728. The State's per capita income is \$27,006, which is \$4,913, or 22.2 percent greater than Belleville's per capita income. However, Belleville's poverty status is less than that of Essex County and comparable to New Jersey.





INCOME CHARACTERISTICS			
	Belleville Township	Essex County	New Jersey
Median Household Income	\$48,576	\$44,944	\$55,146
Median Family Income	\$55,212	\$54,818	\$65,370
Per Capita Income	\$22,093	\$24,943	\$27,006
Poverty Status (Percent of Individuals)	8.2%	15.6%	8.5%
Poverty Status (Percent of Families)	6.3%	12.8%	6.3%

Source: US Census Bureau DP-3. Profile of Selected Economic Characteristics: 2000

The 2000 Census indicates that the greatest percent of Belleville Township households had an income between \$50,000 and \$74,999 in 1999; a total of 23.5 percent of Belleville Township's households were within that income bracket. The County had 16.7 percent and the State had 19.8 percent of their households within the same bracket. The percentage of Belleville Township's



households in the top three household income brackets (\$100,000 to \$149,000; \$150,000 to \$199,999; and \$200,000 or more) are generally less than the County and the State as a whole.

HOUSEHOLD INCOME						
	Belleville Township		Essex County		New Jersey	
	Total	Percent	Total	Percent	Total	Percent
Less than \$10,000	923	6.7%	36,560	12.9%	213,939	7.0%
\$10,000 to \$14,999	723	5.3%	17,456	6.2%	143,783	4.7%
\$15,000 to \$24,999	1,411	10.3%	30,887	10.9%	288,606	9.4%
\$25,000 to \$34,999	1,583	11.5%	30,016	10.6%	305,449	10.0%
\$35,000 to \$49,999	2,439	17.8%	39,072	13.8%	437,373	14.3%
\$50,000 to \$74,999	3,228	23.5%	47,511	16.7%	608,244	19.8%
\$75,000 to \$99,999	1,845	13.5%	29,615	10.4%	413,928	13.5%
\$100,000 to \$149,999	1,182	8.6%	28,309	10.0%	391,123	12.8%
\$150,000 to \$199,999	203	1.5%	10,184	3.6%	130,492	4.3%
\$200,000 or more	179	1.3%	14,082	5.0%	132,837	4.3%
Households	13,716		283,692		3,065,774	
Median Household (in persons)	2.6		2.72		2.68	

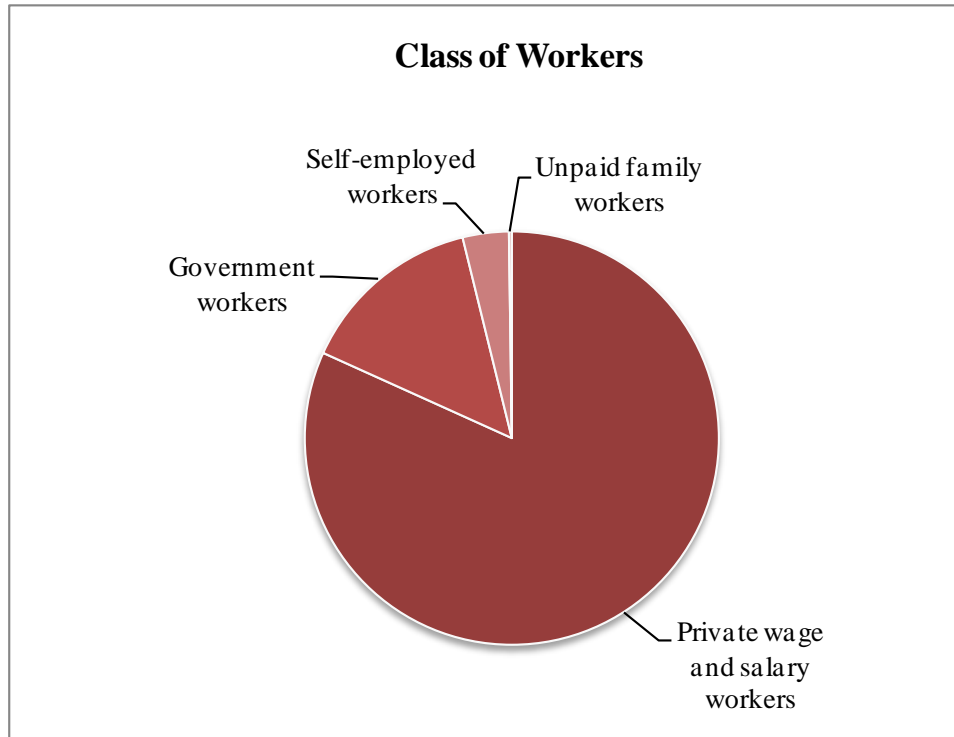
Source: US Census Bureau DP-1. Profile of General Demographic Characteristics: 2000;
DP-3. Profile of Selected Economic Characteristics: 2000

C. EMPLOYMENT DEMOGRAPHICS

The employment outlook for Belleville is growth. NJTPA projects the Township to grow from 10,250 employees in 2000 to 10,300 in 2010 and to 10,770 in 2020. Employment trends are....

The Census reports on work activity of residents 16 years and older. Of those 16 years and older; 9,069 out of 9,638 males and 8,109 out of 8,754 females were employed in the civilian labor force in 2000. Most Belleville Township residents worked in the private sector.





CLASS OF WORKER		
	Number	Percent
Private wage and salary workers	14,045	81.8%
Government workers	2,476	14.4%
Self-employed workers	619	3.6%
Unpaid family workers	38	0.2%
Total employed residents	17,178	
Total unemployed residents	1,209	
Total residents in labor force	18,387	

Source: US Census Bureau DP-3. Profile of Selected Economic Characteristics: 2000

Workers by Industry

Most Belleville Township workers are involved in sales and office occupations or management, professional and related occupations. Of the total Belleville Township workforce, 31.7 percent have been classified by the 2000 Census as in sales and office occupations and 30.7% are in



managerial and professional and related occupations. A higher percentage of the Belleville Township workforce was in sales and office occupations as compared to the overall Essex County workforce.

EMPLOYED CIVILIAN POPULATION BY OCCUPATION (16 YEARS OF AGE OR OLDER)				
Occupation	Belleville Township		Essex County	
	Total	Percent	Total	Percent
Management, professional, and related	5,282	30.7%	119,659	35.6%
Service	2,578	15.0%	53,121	15.8%
Sales and office	5,453	31.7%	97,192	28.9%
Farming, fishing, and forestry	0	0.0%	207	0.1%
Construction, extraction, and maintenance	1,398	8.1%	22,811	6.8%
Production, transportation, and material moving	2,467	14.4%	43,400	12.9%
Total	17,178		336,390	

Source: US Census Bureau DP-3. Profile of Selected Economic Characteristics

In-Place Employment by Industry

New Jersey's State Department of Labor and Workforce Development reports employment and wage data to the State. The most recent in-place employment report was completed in 2003. As the data in the following chart shows, there were a total of 728 private employers within Belleville that employed 7,577 workers on average in 2003. Local government only employed 927 employees in 2003. The largest industrial sector was health care with over 2,500 employees, followed by retail trade with over 1,100 employees. The highest paid industry in Belleville was the professional and technical services sector, make an annual salary of \$54,975.

EMPLOYMENT BY INDUSTRY SECTOR AND NUMBER OF EMPLOYEES (2003)						
Industry	Establishments		Employees		Wages	
	Total	Percent	Percent	Percent	Total	Percent
Construction	90	12.1%	740	8.7%	\$52,946	57.2%
Manufacturing	50	6.7%	588	6.9%	\$45,060	48.7%
Wholesale trade	34	4.6%	308	3.6%	\$45,741	49.4%
Retail trade	116	15.6%	1,185	13.9%	\$25,219	27.2%
Transportation and warehousing	23	3.1%	133	1.6%	\$37,142	40.1%
Information	8	1.1%	111	1.3%	\$50,595	54.7%
Finance and insurance	17	2.3%	118	1.4%	\$28,412	30.7%
Real estate and rental and leasing	26	3.5%	74	0.9%	\$28,527	30.8%
Professional and technical services	52	7.0%	266	3.1%	\$54,975	59.4%
Management of companies and enterprises	-	-	-	-	-	-
Administrative and waste services	40	5.4%	300	3.5%	\$22,143	23.9%
Educational services	-	-	-	-	-	-
Health care and social assistance	97	13.1%	2,591	30.5%	\$45,204	48.8%
Arts, entertainment, and recreation	5	0.7%	70	0.8%	\$20,482	22.1%
Accommodation and food services	46	6.2%	444	5.2%	\$13,500	14.6%
Other services, except public administration	75	10.1%	456	5.4%	\$28,394	30.7%
Unclassified entities	42	5.7%	42	0.5%	\$29,988	32.4%
PRIVATE SECTOR TOTAL	728	98.1%	7,577	89.1%	\$38,348	41.4%
FEDERAL GOVERNMENT TOTAL	-	-	-	-	-	-
LOCAL GOVERNMENT TOTAL	14	1.9%	927	10.9%	\$54,215	58.6%

Source: NJ Department of Labor and Workforce Development, Employment and Wages, 2003 Annual Report

An analysis of the employed Belleville Township residents (over 16) by economic sector indicates that the plurality of Township workers were involved in educational, health and social services, followed by manufacturing.

EMPLOYED CIVILIAN POPULATION BY INDUSTRY (16 YEARS OF AGE OR OLDER)				
Occupation	Belleville Township		Essex County	
	Total	Percent	Total	Percent
Agriculture, forestry, fishing and hunting, and mining	6	0.0%	227	0.1%
Construction	765	4.5%	15,656	4.7%
Manufacturing	2,435	14.2%	36,119	10.7%
Wholesale trade	636	3.7%	12,909	3.8%
Retail trade	2,063	12.0%	32,666	9.7%
Transportation and warehousing, and utilities	1,637	9.5%	25,159	7.5%
Information	655	3.8%	15,062	4.5%
Finance, insurance, real estate, and rental and leasing	1,443	8.4%	32,778	9.7%
Professional, scientific, management, administrative, and waste management services	1,508	8.8%	38,992	11.6%
Educational, health and social services	3,279	19.1%	76,696	22.8%
Arts, entertainment, recreation, accommodation and food services	1,046	6.1%	19,265	5.7%
Other services (except public administration)	922	5.4%	16,358	4.9%
Public administration	783	4.6%	14,503	4.3%
Total	17,178		336,390	

Source: US Census Bureau DP-3. Profile of Selected Economic Characteristics: 2000

Place of Work

Approximately 13.6% of Belleville Township residents work within the Township, 38.1% work outside of the Township but within Essex County, 41.5% work outside of the County but within New Jersey and 6.9% work outside New Jersey. By comparison, 22.2% of Essex County workers worked within their municipality of residence, 31.2% worked outside their municipality but within the County, 23.6% worked outside Essex County, and 11.3% worked outside of the State. On the whole 19.6% of New Jersey workers worked within their municipality of residence, 35.2% worked outside of their municipality but within the County of residence, 32.8% worked outside of their County but within the State, and 12.4% of workers worked outside of the State.

Additionally, nearly 77.1% of commuters (12,946) drive alone to work, and 1,940 commuters' car pool, which gives a total of 14,886 or 88.7% of commuters who are auto dependent residing in Belleville Township. About 7.3% of commuters use public transit and a small percentage of residents walk to work (2.6%). Only 0.8% of Belleville residents work at home.

PLACE OF WORK						
Employment Area	Belleville Township		Essex County		New Jersey	
	Total	Percent	Total	Percent	Total	Percent
Worked in state of residence	15,633	93.1%	328,214	100.0%	3,396,785	87.6%
Worked within municipality of residence	2,276	13.6%	72,854	22.2%	761,684	19.6%
Worked outside of municipality but within county of residence	6,390	38.1%	102,394	31.2%	1,364,495	35.2%
Worked outside county of residence but within the state	6,967	41.5%	152,966	46.6%	1,270,606	32.8%
Worked outside state of residence	1,158	6.9%	37,214	11.3%	479,648	12.4%
Total Employed	16,791		328,214		3,876,433	

Source: US Census Bureau P26. Place of Work for Workers 16 Years and Over--State and County Level and P29 Place of Work for Workers 16 Years and Over--Minor Civil Division Level

Travel Time to Work

The mean commute time among Belleville Township residents is 27.5 minutes, with 2.3% of the population having a travel time of less than 10 minutes. Compared to the mean of 31.2 and 30.0 minutes travel times for Essex County and the State respectively, Belleville Township residents spend less commuting time to and from their place of employment than others within the State and the County.



COMMUTE TIME						
Travel Time (in minutes)	Belleville Township		Essex County		New Jersey	
	Total	Percent	Total	Percent	Total	Percent
Less than 5	384	2.3%	6,298	1.9%	99,241	2.6%
5 to 9	1,301	7.7%	23,150	7.1%	347,598	9.0%
10 to 14	1,947	11.6%	34,141	10.4%	482,988	12.5%
15 to 19	2,416	14.4%	41,232	12.6%	510,571	13.2%
20 to 24	2,516	15.0%	45,402	13.8%	497,467	12.8%
25 to 29	1,043	6.2%	18,812	5.7%	210,226	5.4%
30 to 34	3,031	18.1%	52,869	16.1%	492,539	12.7%
35 to 39	548	3.3%	8,522	2.6%	109,571	2.8%
40 to 44	663	3.9%	12,370	3.8%	156,148	4.0%
45 to 59	1,384	8.2%	30,343	9.2%	352,609	9.1%
60 to 89	1,097	6.5%	32,115	9.8%	335,777	8.7%
90 or more	335	2.0%	13,854	4.2%	175,142	4.5%
Did not work at home	16,665	99.2%	319,108	97.2%	3,769,877	97.3%
Worked at home	126	0.8%	9,106	2.8%	106,556	2.7%
Total	16,791		328,214		3,876,433	
Mean travel time	27.5		31.2		30.0	

Source: US Census Bureau P31. Travel Time to Work for Workers 16 Years and Over;
US Census Bureau DP-3. Profile of Selected Economic Characteristics: 2000

D. PROJECTED GROWTH SHARE

Measuring the Actual Growth Share Obligation

“Growth Share” is the affordable housing obligation generated in Belleville by both residential and non-residential development between January 1, 2004 and December 31, 2018. Growth Share is represented by a ratio of one affordable housing unit for every four market-rate units constructed and one affordable housing unit for every 16 new jobs created by non-residential additions or new construction in based on the conversion table located in COAH’s Third Round Rules, Appendix D.

Belleville’s actual growth share obligation is composed of two components: residential and non-residential. The actual residential growth share obligation is the total number of market-rate residential certificates of occupancy issued within the Township between January 1, 2004 and December 31, 2018. For every four market rate residential units issued a certificate of occupancy from January 1, 2004 and later, one additional unit affordable to low and moderate income households must be provided in a manner approved by COAH. Also for every sixteen new jobs



added to the municipality after January 1, 2004, one unit affordable to low and moderate income households must be provided. Appendix D of the Third Round Rules provides the ratios for square feet generating one affordable unit and jobs per 1,000 square feet for each use group.

The following chart summarizes the non-residential growth share calculation ratios.

NON-RESIDENTIAL GROWTH SHARE CALCULATIONS			
Use Group	Use Group Description	Square Feet Generating One Affordable Unit	Jobs Per 1,000 Square Feet
B - Office	Office buildings	5,714	2.8
M - Retail	Buildings that display and sell products, includes retail stores, shops, gas stations	9,412	1.7
F - Industrial	Factories where products are made, processed, or assembled	13,333	1.2
S - Storage	Includes warehouses, lumberyards	16,000	1
H - Hazardous	High hazard manufacturing, processing, generation and storage uses	10,000	1.6
A1 - Assembly	Includes theaters, concert halls, tv studios	10,000	1.6
A2 - Assembly	Includes casinos, night clubs, restaurants	5,000	3.2
A3 - Assembly	Includes libraries, lecture halls, arcades, galleries, funeral parlors, gymnasiums	10,000	1.6
A4 - Assembly	Includes arenas, skating rinks and pools	4,706	3.4
A5 - Assembly	Includes amusement park structures and stadiums	6,154	2.6
I - Institutional	Includes assisted living facilities, hospitals, nursing homes, jails and day care facilities	6,154	2.6
R1 - Hotel	Hotel, motel, dormitories and continuing care retirement communities	9,412	1.7

Housing Projections

COAH requires each municipality to project the municipality's housing stock growth for the next ten years and include construction permits issued, approvals of applications for development and probably future construction of low and moderate-income housing.

In order to project ahead into the future, the historic trends must be analyzed. Construction data from 1996 until 2003 reveals that Belleville had a net residential growth (excluding demolitions) of 51 units. This averages to 6.4 new units per year. Demolitions are not subtracted from Certificates of Occupancy (Cos) because COAH does not allow them to be deducted. Demolition data is provided for informational purposes only.



TABLE-1 HISTORIC TREND OF CERTIFICATES OF OCCUPANCY & DEMOLITIONS PERMITS									
	1996	1997	1998	1999	2000	2001	2002	2003	Total
COs Issued	0	11	11	4	4	2	13	6	51
<i>Demolitions</i>	<i>3</i>	<i>2</i>	<i>1</i>	<i>1</i>	<i>4</i>	<i>3</i>	<i>3</i>	<i>2</i>	<i>19</i>

Source: "Housing Units Certified" - New Jersey Department of Community Affairs. <http://www.state.nj.us/dca/codes/cr/conrep.shm>

Since the beginning of the Third Round, 62 new homes have been constructed in Belleville. Table R-2 shows the certificates of occupancy that occurred since January 1, 2004, which will generate an obligation for the Township if they were **not** a part of an inclusionary development.

TABLE-2 ACUTAL CERTIFICATES OF OCCUPANCY & DEMOLITION PERMITS					
	2004	2005	2006	2007	Total
COs Issued	7	13	20	22	62
<i>Demolitions</i>	<i>3</i>	<i>1</i>	<i>6</i>	<i>10</i>	<i>20</i>

Source: "Housing Units Certified" - New Jersey Department of Community Affairs <http://www.state.nj.us/dca/codes/cr/conrep.shtml>

Table R-3 presents residential development activity that is anticipated between 2008 and 2018. This includes approved development applications, pending applications and anticipated historical trend-based residential development. An estimated 381 residential units are forecasted for this period of time.

TABLE R-3 ANTICIPATED, PENDING & APPROVED RESIDENTIAL DEVELOPMENTS												
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Approved Development Applications												
Washington River Run				70	65							135
10 Jeraldo Street			6									6
212 Belmont Avenue		2										2
80-84 Cortlandt Street	2											2
64 Salter Place		4										4
150-152 Franklin Street			4									4
88 Perry Street		1										1
278 Belmont Avenue		1										1
71 Watchung Avenue		1										1
Certificates of Occupancy Already Issued												
54 Magnolia Street	1											1
89 Watchung Avenue	1											1
48-56 Newark Place	1											1
14 N. Ninth Street	2											2
421 Joralemon Street	1											1
157 Stephens Street	1											1
Anticipated Development Applications												
Franklin Group Senior Facility				150								150
												0
												0
												0
Other Projected Development												
Historical Trend Average				4	8	9	10	9	10	8	10	68
												0
												0
												0
Total Projected Development	9	9	10	224	73	9	10	9	10	8	10	381

Source: Planning and Zoning Board Applications list, Historic Trends and Current Market Conditions

Table R-4 shows the total residential growth, the sum of both the actual residential development and the projected residential growth from 2004 to 2018. A total of 443 units are estimated for the Township.

TABLE-4 TOTAL NET RESIDENTIAL GROWTH (SUM OF ACTUAL & PROJECTED GROWTH)																	
	Actual				Projected												Total
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018		
Total COs Issued	7	13	20	22	9	9	10	224	73	9	10	9	10	8	10	443	



From the total number of residential certificates of occupancy issued in Belleville, the following can be subtracted:

- Affordable housing units that received credit in a first or second round certified plan or court of judgment of compliance which have been or are projected to be constructed after January 1, 2004;
- Market-rate units in an inclusionary or mixed-use development where these affordable units received credit in a first or second round certified plan or court judgment of compliance, which have been or are projected to be constructed after January 1, 2004, provided these sites are zoned to produce affordable housing units (maximum exclusion of market-rate units from residential growth is 5.67 times the number of affordable units);
- Additional market-rate units resulting from an increase in density for an inclusionary or mixed-use development that are constructed after January 1, 2004, provided the required affordable units are constructed on-site;
- Affordable units apart of an inclusionary project addressing the Third Round obligation.

There are no developments that can be excluded at this time; therefore Table R-5 is not included. The Township is projected to construct a total of 443 housing units that will generate a growth share obligation for the Township.

TABLE R-6 NET RESIDENTIAL GROWTH AFTER SUBTRACTING EXCLUDED UNITS																
	Actual				Projected											Total
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	
Net Residential Growth	7	13	20	22	9	9	10	224	73	9	10	9	10	8	10	443
Excluded Units	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Final Net Growth	7	13	20	22	9	9	10	224	73	9	10	9	10	8	10	443

COAH requires that one affordable unit be built for every four market-rate units actually constructed. To calculate the projected growth share obligation of the potential residential development, COAH states that the municipality shall divide the total by five. If built as projected, the final net residential growth will require the construction of a total of 91.7 affordable housing units.

TABLE R-7 AFFORDABLE HOUSING UNIT GROWTH PROJECTIONS																
	Actual				Projected											Total
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	
Total Net Growth	7	13	20	22	9	9	10	224	73	9	10	9	10	8	10	443
Divided by 4	1.8	3.3	5.0	5.5												15.5
Divided by 5					1.8	1.8	2.0	44.8	14.6	1.8	2.0	1.8	2.0	1.6	2.0	76.2
Total Affordable Units	1.8	3.3	5.0	5.5	1.8	1.8	2.0	44.8	14.6	1.8	2.0	1.8	2.0	1.6	2.0	91.7

Note: Negative growth projections are not permitted. Total net growth of less than 0 is rounded up to 0.

Employment Projections

To project future employment characteristics, the historical trends will be utilized as well as anticipated, pending or approved non-residential applications. New Jersey Construction Reporter data was gathered to illustrate the pace of non-residential development in Belleville since 1996. As Table NR-1 shows the Township has mainly seen A-3 assembly and office development over the past ten years. No demolitions have occurred.

TABLE NR-1 HISTORIC TREND OF CERTIFICATES OF OCCUPANCY & DEMOLITION PERMITS ISSUED									
	1996	1997	1998	1999	2000	2001	2002	2003	Total
Certificates of Occupancy Issued									
A1 - Assembly	0	0	0	0	0	0	0	0	0
A2 - Assembly	0	0	0	0	0	0	0	0	0
A3 - Assembly	0	0	0	0	0	0	5,484	4,623	10,107
A4 - Assembly	0	0	0	0	0	0	0	0	0
A5 - Assembly	0	0	0	0	0	0	0	0	0
B - Office	0	0	0	0	0	2,812	7,500	39,800	50,112
F - Industrial	0	0	0	0	0	0	0	0	0
H - High Hazard	0	0	0	0	0	0	0	0	0
I - Institutional	0	0	0	0	0	0	0	0	0
M - Retail	0	0	0	0	0	0	0	0	0
R1 - Dormitory	0	0	1,430	0	0	0	0	0	1,430
S - Storage	0	0	0	0	0	0	0	13,241	13,241
Total New Development	0	0	1,430	0	0	2,812	12,984	57,664	74,890
Demolition Permits Issued									
A1 - Assembly	0	0	0	0	0	0	0	0	0
A2 - Assembly	0	0	0	0	0	0	0	0	0
A3 - Assembly	0	0	0	0	0	0	0	0	0
A4 - Assembly	0	0	0	0	0	0	0	0	0
A5 - Assembly	0	0	0	0	0	0	0	0	0
B - Office	0	0	0	0	0	0	0	0	0
F - Industrial	0	0	0	0	0	0	0	0	0
H - High Hazard	0	0	0	0	0	0	0	0	0
I - Institutional	0	0	0	0	0	0	0	0	0
M - Retail	0	0	0	0	0	0	0	0	0
R1 - Dormitory	0	0	0	0	0	0	0	0	0
S - Storage	0	0	0	0	0	0	0	0	0
Total Demolitions	0	0	0	0	0	0	0	0	0

Source: "Square Feet of Nonresidential Space Reported on Certificates of Occupancy" - New Jersey Department of Community Affairs.
<http://www.state.nj.us/dca/codes/cr/conrep.shtml> and Belleville Construction Department Certificates of Occupancy Reports

As for the first four years of the Third Round cycle, A-3 assembly, office, retail and storage uses have been constructed. Storage-type construction has been the largest followed by a significant amount of retail in 2007. No demolitions have occurred; demolitions can be deducted from the growth share obligation.

TABLE NR-2 ACTUAL CERTIFICATES OF OCCUPANCY & DEMOLITION PERMITS ISSUED					
	2004	2005	2006	2007	Total
Certificates of Occupancy Issued					
A1 - Assembly	0	0	0	0	0
A2 - Assembly	0	0	0	0	0
A3 - Assembly	0	0	1,629	48	1,677
A4 - Assembly	0	7,091	0	0	7,091
A5 - Assembly	0	0	0	0	0
B - Office	0	1,382	1,579	3,572	6,533
F - Industrial	0	0	0	0	0
H - High Hazard	0	0	0	0	0
I - Institutional	0	0	0	0	0
M - Retail	0	0	0	23,572	23,572
R1 - Dormitory	0	0	0	0	0
S - Storage	0	56,040	0	1,386	57,426
Total New Development	0	64,513	3,208	28,578	96,299
Demolition Permits Issued					
A1 - Assembly	0	0	0	0	0
A2 - Assembly	0	0	0	0	0
A3 - Assembly	0	0	0	0	0
A4 - Assembly	0	0	0	0	0
A5 - Assembly	0	0	0	0	0
B - Office	0	0	0	0	0
F - Industrial	0	0	0	0	0
H - High Hazard	0	0	0	0	0
I - Institutional	0	0	0	0	0
M - Retail	0	0	0	0	0
R1 - Dormitory	0	0	0	0	0
S - Storage	0	0	0	0	0
Total Demolitions	0	0	0	0	0

Source: "Square Feet of Nonresidential Space Reported on Certificates of Occupancy" - New Jersey Department of Community Affairs. <http://www.state.nj.us/dca/codes/cr/conrep.shtml> and Belleville Construction Department Certificates of Occupancy Reports

Table NR-3 shows the number of jobs that were generated between 1996 and 2003 according to COAH's non-residential job generation formulae contained in Appendix D of the rules. As the table shows, 172 jobs were generated by new non-residential development.

TABLE NR-3 HISTORIC TREND OF CERTIFICATES OF OCCUPANCY & DEMOLITIONS PERMITS ISSUED										
Use Group	Jobs / 1,000 sf	1996	1997	1998	1999	2000	2001	2002	2003	Total
Certificates of Occupancy Issued										
A1 - Assembly	1.6	0	0	0	0	0	0	0	0	0
A2 - Assembly	3.2	0	0	0	0	0	0	0	0	0
A3 - Assembly	1.6	0	0	0	0	0	0	9	7	16
A4 - Assembly	3.4	0	0	0	0	0	0	0	0	0
A5 - Assembly	2.6	0	0	0	0	0	0	0	0	0
B - Office	2.8	0	0	0	0	0	8	21	111	140
F - Industrial	1.2	0	0	0	0	0	0	0	0	0
H - High Hazard	1.6	0	0	0	0	0	0	0	0	0
I - Institutional	2.6	0	0	0	0	0	0	0	0	0
M - Retail	1.7	0	0	0	0	0	0	0	0	0
R1 - Dormitory	1.7	0	0	2	0	0	0	0	0	2
S - Storage	1.0	0	0	0	0	0	0	0	13	13
Total New Development		0	0	2	0	0	8	30	132	172
Demolition Permits Issued										
A1 - Assembly	1.6	0	0	0	0	0	0	0	0	0
A2 - Assembly	3.2	0	0	0	0	0	0	0	0	0
A3 - Assembly	1.6	0	0	0	0	0	0	0	0	0
A4 - Assembly	3.4	0	0	0	0	0	0	0	0	0
A5 - Assembly	2.6	0	0	0	0	0	0	0	0	0
B - Office	2.8	0	0	0	0	0	0	0	0	0
F - Industrial	1.2	0	0	0	0	0	0	0	0	0
H - High Hazard	1.6	0	0	0	0	0	0	0	0	0
I - Institutional	2.6	0	0	0	0	0	0	0	0	0
M - Retail	1.7	0	0	0	0	0	0	0	0	0
R1 - Dormitory	1.7	0	0	0	0	0	0	0	0	0
S - Storage	1.0	0	0	0	0	0	0	0	0	0
Total Demolitions		0	0	0	0	0	0	0	0	0

Source: Jobs per square foot based on COAH formula contained in Appendix D

Table NR-4 converts non-residential development that has been constructed between January 1, 2004 and December 31, 2007 to jobs generated per use group. The 96,000 plus square feet will generate a total of 143 jobs. For every sixteen jobs generated, one affordable unit will be required. Therefore, these 143 jobs will require 8.9 affordable housing units.

TABLE NR-4 ACTUAL CERTIFICATES OF OCCUPANCY & DEMOLITION PERMITS ISSUED						
Use Group	Jobs / 1,000 sf	2004	2005	2006	2007	Total
Certificates of Occupancy Issued						
A1 - Assembly	1.6	0	0	0	0	0
A2 - Assembly	3.2	0	0	0	0	0
A3 - Assembly	1.6	0	0	3	0	3
A4 - Assembly	3.4	0	24	0	0	24
A5 - Assembly	2.6	0	0	0	0	0
B - Office	2.8	0	4	4	10	18
F - Industrial	1.2	0	0	0	0	0
H - High Hazard	1.6	0	0	0	0	0
I - Institutional	2.6	0	0	0	0	0
M - Retail	1.7	0	0	0	40	40
R1 - Dormitory	1.7	0	0	0	0	0
S - Storage	1.0	0	56	0	1	57
Total New Development		0	84	7	52	143
Demolition Permits Issued						
A1 - Assembly	1.6	0	0	0	0	0
A2 - Assembly	3.2	0	0	0	0	0
A3 - Assembly	1.6	0	0	0	0	0
A4 - Assembly	3.4	0	0	0	0	0
A5 - Assembly	2.6	0	0	0	0	0
B - Office	2.8	0	0	0	0	0
F - Industrial	1.2	0	0	0	0	0
H - High Hazard	1.6	0	0	0	0	0
I - Institutional	2.6	0	0	0	0	0
M - Retail	1.7	0	0	0	0	0
R1 - Dormitory	1.7	0	0	0	0	0
S - Storage	1.0	0	0	0	0	0
Total Demolitions		0	0	0	0	0

Source: Jobs per square foot based on COAH formule contained in Appendix D

Table NR-5A3, NR-5A4, NR-5M, NR-5S and NR-5B presents non-residential development activity that is anticipated to occur between 2008 and 2018. This includes other projected development that is based upon the historical trend average for each use group.

Table NR-5A3 shows the amount of assembly development that is anticipated for the Township between 2008 and 2018. The 9,800 square feet of assembly space would generate roughly 15.7 new jobs.



TABLE NR-5A 3													
"A 3" USE GROUP: Developments and Anticipated Developments by the Year that COs are Anticipated to be Issued (1.6 jobs per 1,000 square feet)													
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total Area	Jobs
Approved Development Applications													
												0	0.0
												0	0.0
Pending Development Applications													
												0	0.0
												0	0.0
Anticipated Development Applications													
												0	0.0
												0	0.0
Other Projected Development													
Historical Trend Average		1,500			3,000			4,500		800		9,800	15.7
Total	0	1,500	0	0	3,000	0	0	4,500	0	800	0	9,800	15.7
Total Projected Demolitions												0	0.0

Sources: Historical Data Trend Average

Table NR-5A4 shows the projected assembly development that is anticipated to occur between 2008 and 2018. An estimated 5,900 square feet is expected, which would generate 20.1 jobs.

TABLE NR-5A 4													
"A 4" USE GROUP: Developments and Anticipated Developments by the Year that COs are Anticipated to be Issued (3.4 jobs per 1,000 square feet)													
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total Area	Jobs
Approved Development Applications													
												0	0.0
												0	0.0
Pending Development Applications													
												0	0.0
												0	0.0
Anticipated Development Applications													
												0	0.0
												0	0.0
Other Projected Development													
Historical Trend Average			2,000				1,500			2,400		5,900	20.1
Total	0	0	2,000	0	0	0	1,500	0	0	2,400	0	5,900	20.1
Total Projected Demolitions												0	0.0

Sources: Historical Data Trend Average

Table NR-5B presents projected historical trend data for office construction. Belleville is estimated to build over 22,000 square feet of office space between now and 2018. If realized, the office construction would generate 62.3 new jobs for the Township.



TABLE NR-5B													
"B" USE GROUP: Developments and Anticipated Developments by the Year that COs are Anticipated to be Issued (2.8 jobs per 1,000													
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total Area	Jobs
Approved Development Applications													
												0	0.0
												0	0.0
Pending Development Applications													
												0	0.0
												0	0.0
Anticipated Development Applications													
												0	0.0
												0	0.0
Other Projected Development													
Historical Trend Average	2,000		4,000		1,750	3,000		1,500		10,000		22,250	62.3
Total	2,000	0	4,000	0	1,750	3,000	0	1,500	0	10,000	0	22,250	62.3
Total Projected Demolitions												0	0.0

Sources: Historical Data Trend Average

Table NR-5M shows the amount of retail space that is projected for Belleville. Almost 20,000 square feet of commercial space is anticipated to be built, which would generate an estimated 33.2 new jobs.

TABLE NR-5M													
"M" USE GROUP: Developments and Anticipated Developments by the Year that COs are Anticipated to be Issued (1.7 job per 1,000													
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total Area	Jobs
Approved Development Applications													
												0	0.0
												0	0.0
Pending Development Applications													
												0	0.0
												0	0.0
Anticipated Development Applications													
												0	0.0
												0	0.0
Other Projected Development													
Historical Trend Average	1,000		2,500		3,000		7,500		3,500		2,000	19,500	33.2
Total	1,000	0	2,500	0	3,000	0	7,500	0	3,500	0	2,000	19,500	33.2
Total Projected Demolitions												0	0.0

Sources: Historical Data Trend Average

Finally, Table NR-5S presents forecasted storage-type development for Belleville. 58,000 square feet of new storage development is projected, if built it would generate 58 new jobs in the Township.



TABLE NR-5S "S" USE GROUP: Developments and Anticipated Developments by the Year that COs are Anticipated to be Issued (1.0 jobs per 1,000 square feet)													
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total Area	Jobs
Approved Development Applications													
												0	0.0
												0	0.0
Pending Development Applications													
												0	0.0
												0	0.0
Anticipated Development Applications													
												0	0.0
												0	0.0
Other Projected Development													
Historical Trend Average	2,000	1,000		5,000		10,000		15,000		25,000		58,000	58.0
Total	2,000	1,000	0	5,000	0	10,000	0	15,000	0	25,000	0	58,000	58.0
Total Projected Demolitions												0	0.0

Sources: Historical Data Trend Average

Table NR-6 shows the square footage that is anticipated to occur within Belleville between 2008 and 2018 in all use categories. A total of 115,450 square feet of new non-residential development is projected to occur over the ten year period; this averages to just over 10,000 square feet per year.

TABLE NR-6 NET PROJECTED NEW DEVELOPMENT													
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total	
Certificates of Occupancy Issued													
A1 - Assembly	0	0	0	0	0	0	0	0	0	0	0	0	
A2 - Assembly	0	0	0	0	0	0	0	0	0	0	0	0	
A3 - Assembly	0	1,500	0	0	3,000	0	0	4,500	0	800	0	9,800	
A4 - Assembly	0	0	2,000	0	0	0	1,500	0	0	2,400	0	5,900	
A5 - Assembly	0	0	0	0	0	0	0	0	0	0	0	0	
B - Office	2,000	0	4,000	0	1,750	3,000	0	1,500	0	10,000	0	22,250	
F - Industrial	0	0	0	0	0	0	0	0	0	0	0	0	
H - High Hazard	0	0	0	0	0	0	0	0	0	0	0	0	
I - Institutional	0	0	0	0	0	0	0	0	0	0	0	0	
M - Retail	1,000	0	2,500	0	3,000	0	7,500	0	3,500	0	2,000	19,500	
R1 - Dormitory	0	0	0	0	0	0	0	0	0	0	0	0	
S - Storage	2,000	1,000	0	5,000	0	10,000	0	15,000	0	25,000	0	58,000	
Total Development	5,000	2,500	8,500	5,000	7,750	13,000	9,000	21,000	3,500	38,200	2,000	115,450	
Demolition Permits Issued													
A1 - Assembly	0	0	0	0	0	0	0	0	0	0	0	0	
A2 - Assembly	0	0	0	0	0	0	0	0	0	0	0	0	
A3 - Assembly	0	0	0	0	0	0	0	0	0	0	0	0	
A4 - Assembly	0	0	0	0	0	0	0	0	0	0	0	0	
A5 - Assembly	0	0	0	0	0	0	0	0	0	0	0	0	
B - Office	0	0	0	0	0	0	0	0	0	0	0	0	
F - Industrial	0	0	0	0	0	0	0	0	0	0	0	0	
H - High Hazard	0	0	0	0	0	0	0	0	0	0	0	0	
I - Institutional	0	0	0	0	0	0	0	0	0	0	0	0	
M - Retail	0	0	0	0	0	0	0	0	0	0	0	0	
R1 - Dormitory	0	0	0	0	0	0	0	0	0	0	0	0	
S - Storage	0	0	0	0	0	0	0	0	0	0	0	0	
Total Demolitions	0	0	0	0	0	0	0	0	0	0	0	0	
Total Projected Net Non-Residential Growth	5,000	2,500	8,500	5,000	7,750	13,000	9,000	21,000	3,500	38,200	2,000	115,450	

Sources: Historical Data Trend Average



The projected non-residential development between 2008 and 2018 will generate an estimated new 189 jobs. The majority of the jobs will be generated by the anticipated office development, as shown in Table NR-7. If realized, the projected non-residential development for the remainder of the Third Round cycle will require 11.8 affordable housing units.

TABLE NR-7 NET PROJECTED EMPLOYMENT GROWTH (BY JOBS)													
	Jobs / 1,000 sq	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Certificates of Occupancy Issued													
A1 - Assembly	1.6	0	0	0	0	0	0	0	0	0	0	0	0
A2 - Assembly	3.2	0	0	0	0	0	0	0	0	0	0	0	0
A3 - Assembly	1.6	0	2	0	0	5	0	0	7	0	1	0	16
A4 - Assembly	3.4	0	0	7	0	0	0	5	0	0	8	0	20
A5 - Assembly	2.6	0	0	0	0	0	0	0	0	0	0	0	0
B - Office	2.8	6	0	11	0	5	8	0	4	0	28	0	62
F - Industrial	1.2	0	0	0	0	0	0	0	0	0	0	0	0
H - High Hazard	1.6	0	0	0	0	0	0	0	0	0	0	0	0
I - Institutional	2.6	0	0	0	0	0	0	0	0	0	0	0	0
M - Retail	1.7	2	0	4	0	5	0	13	0	6	0	3	33
R1 - Dormitory	1.7	0	0	0	0	0	0	0	0	0	0	0	0
S - Storage	1	2	1	0	5	0	10	0	15	0	25	0	58
Total New Development		9	3	22	5	15	18	18	26	6	62	3	189
Demolition Permits Issued													
A1 - Assembly	1.6	0	0	0	0	0	0	0	0	0	0	0	0
A2 - Assembly	3.2	0	0	0	0	0	0	0	0	0	0	0	0
A3 - Assembly	1.6	0	0	0	0	0	0	0	0	0	0	0	0
A4 - Assembly	3.4	0	0	0	0	0	0	0	0	0	0	0	0
A5 - Assembly	2.6	0	0	0	0	0	0	0	0	0	0	0	0
B - Office	2.8	0	0	0	0	0	0	0	0	0	0	0	0
F - Industrial	1.2	0	0	0	0	0	0	0	0	0	0	0	0
H - High Hazard	1.6	0	0	0	0	0	0	0	0	0	0	0	0
I - Institutional	2.6	0	0	0	0	0	0	0	0	0	0	0	0
M - Retail	1.7	0	0	0	0	0	0	0	0	0	0	0	0
R1 - Dormitory	1.7	0	0	0	0	0	0	0	0	0	0	0	0
S - Storage	1	0	0	0	0	0	0	0	0	0	0	0	0
Total Demolitions		0	0	0	0	0	0	0	0	0	0	0	0
Total Projected Net Employment Growth		9	3	22	5	15	18	18	26	6	62	3	189

Table NR-8 shows the total employment that is forecasted for both actual non-residential development between 2004 and 2007 and projected non-residential development between 2008 and 2018. A total of 331.8 jobs are anticipated for the Third Round cycle, which will require 20.7 affordable housing units (Table NR-9).

TABLE NR-8 TOTAL NET NON-RESIDENTIAL EMPLOYMENT GROWTH (SUM OF ACTUAL & PROJECTED GROWTH)															
	Actual				Projected										
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Total New Developments	0.0	84.0	7.0	51.5	9.3	3.4	22.3	5.0	14.8	18.4	17.9	26.4	5.95	62.4	3.4
Total Demolition	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Net Employment Growth	0.0	84.0	7.03	51.54	9.3	3.4	22.3	5.0	14.8	18.4	17.9	26.4	5.95	62.4	3.4



TABLE NR-9 AFFORDABLE HOUSING UNIT OBLIGATION GENERATED BY NON-RESIDENTIAL DEVELOPMENT																
	Actual				Projected											Total
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	
Total Net Employment Growth	0.0	84.0	7.03	51.5	9.3	3.4	22.3	5.0	14.8	18.4	17.9	26.4	6.0	62.4	3.4	331.8
Divided by 16	0.0	5.3	0.4	3.2	0.6	0.2	1.4	0.3	0.9	1.2	1.1	1.7	0.4	3.9	0.2	20.7

Note: Negative growth projections are not permitted. Total net growth of less than 0 is rounded up to 0.

The total projected affordable housing obligation for Belleville is shown in Table T-1. Residential construction has produced 15.6 affordable units from actual development, but is projected to require 76.1 affordable units for projected residential development. Meanwhile, non-residential development has already generated an obligation of 8.9 affordable units. In addition, another 11.8 units will be needed for the projected non-residential development anticipated to occur during the remainder of the Third Round cycle. In total, non-residential development will generate an obligation of 84.3 affordable housing units. Combined, residential and non-residential development will generate a total of 112.4 affordable housing units projected for Belleville's entire Third Round growth share.

TABLE T-1 TOTAL PROJECTED AFFORDABLE HOUSING OBLIGATION GENERATED BETWEEN 2004 & 2018																
	Actual				Projected											Total
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	
Total Residential	1.8	3.3	5.0	5.5	1.8	1.8	2.0	44.8	14.6	1.8	2.0	1.8	2.0	1.6	2.0	91.7
Total Non-Residential	0.0	5.3	0.4	3.2	0.6	0.2	1.4	0.3	0.9	1.2	1.1	1.7	0.4	3.9	0.2	20.7
Total Obligation	1.8	8.5	5.4	8.7	2.4	2.0	3.4	45.1	15.5	3.0	3.1	3.5	2.4	5.5	2.2	112.4

E. CAPACITY FOR FAIR SHARE

A determination of Belleville's present and probable fair share for affordable housing, along with the capacity to accommodate those units is required by COAH. As shown in Table T-1, Belleville has generated an obligation of 24.4 affordable housing units between 2004 and 2007. This means that the Township has a present need of 25 affordable units, generated in just the first four years of the Third Round cycle. As for Belleville's future affordable housing share, future residential and non-residential construction in the Township is projected to generate an obligation of 80 affordable housing units for the remainder of the Third Round cycle.

Belleville's capacity to accommodate its present and prospective affordable housing need is determined by three components – land, water and sewer. Note that land development is limited by wetlands, flood plains, easements (conservation, sewer, water), parcel size and municipal regulations.



Anticipated land use patterns include redevelopment, since the majority of the Township is developed with few remaining vacant parcels available that aren't constrained by steep slopes, irregular parcel shape or contamination. The anticipated demand for different types of uses includes mixed-use development along the major corridors in Belleville and new commercial development. The municipality's economic development policy is to encourage private redevelopment in the "Valley" section of the Township, which is east of the abandoned railroad, along Washington Avenue and look at designating the area around the Silver Lake Station of the Newark subway line as a Transit Village in the future.

Other constraints on development in Belleville are the older buildings that exist, Brownfield sites and small lots, which make land assemblage difficult. Measures to address these constraints include increasing density and floor to area ratios in selected areas to stimulate development by providing an economic incentive. Additionally, the Township is reluctant to use redevelopment, but will do so on a selective basis. Instead, Belleville encourages private redevelopment, where property owners redevelop their own property.

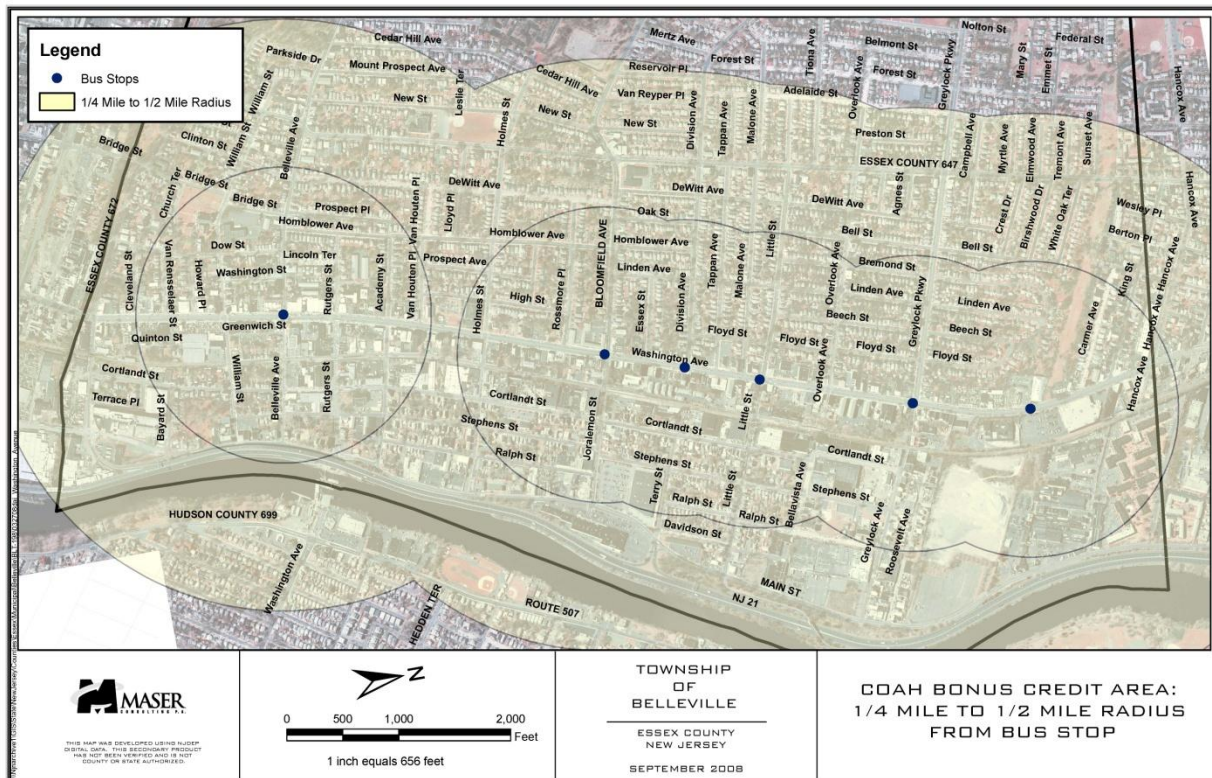
Although almost entirely developed, many parcels within the Township are ripe for private redevelopment. Specific areas that may develop or redevelop include those properties within a 1250' radius of the Silver Lake New Jersey Transit stop, north and south ends of Washington Avenue and properties located east of the old railroad and west of Route 21 called "The Valley". Of these listed areas, those properties surrounding the train station and along Washington Avenue would be appropriate for the construction of affordable housing.

The Township has identified parcels within a $\frac{1}{4}$ to $\frac{1}{2}$ mile radius of the New Jersey Transit bus stops located along Washington Avenue as a target area for affordable housing if future redevelopment were to occur. COAH's proposed rules offer a 0.33 bonus credit for any affordable housing unit addressing the Township's growth share obligation that is included in a Transit Oriented Development if:

- The approval provides for a minimum set-aside of 20%
- Affordable units are provided on-site
- At least 50% of the affordable units are family units
- The development meets the zoning criteria pursuant to N.J.A.C. 5:94-6.4 (minimum 6 units per acre)

The map on the following page shows the "target" area that would be eligible for the bonus credit if the four aforementioned criteria were met.





There are no existing structures appropriate for conversion to affordable housing at this time. As for structures suitable for rehabilitation, according to the Census and COAH, there are at least 249 structures in the Township.

Outside of the Washington River Run development, which has already received final approval, one other developer has expressed interest in building affordable senior units along Franklin Avenue. The Franklin Group is based out of West Paterson, New Jersey and their proposal is further detailed in the Proposed Mechanisms section of the Fair Share Plan. Otherwise, no other developers have expressed an interest to provide affordable housing in Belleville.

As for the capacity for water and sewer capacity, Township Engineer Tom Herits, states that the Township currently has capacity to support new development. Belleville purchases water from the City of Newark. As for sewer, Belleville has capacity for new development, but may require off-site improvements depending on the location. Passaic Valley Sewerage Commission treats the Township's sewerage. Further information is contained in the Appendix.

CONTENT OF FAIR SHARE PLAN

The following information is required by COAH as part of the Fair Share Plan (N.J.A.C. 5:97-3.2)

1. Description of existing credits intended to satisfy the obligation;
2. Description of any adjustments to any portion of the fair share obligation, which shall include all information and documentation required;
3. Description of mechanisms that will be used to meet the new total obligation;
4. Draft an implementation schedule that sets forth a detailed timetable for units to be provided
 - o Documentation for mechanisms to address the prior round obligation, rehabilitation share and growth share obligation up to the first plan review shall be submitted at the time of petition
 - o Documentation for zoning for inclusionary development, accessory apartment program, or market to affordable program shall be submitted at the time of petition and implemented within 45 days of certification;
5. If seeking vacant land adjustment or household and employment growth projection adjustment shall submit all the information required, unless:
 - o Municipality demonstrates that the mechanisms do not rely upon the availability of vacant land or municipality reserves scarce resources;
6. Include draft and/or adopted ordinances necessary for implementation;
7. Demonstrate that existing zoning or planned changes provide adequate capacity to accommodate affordable housing;
8. Demonstrate existing planned water/waste water treatment capacity is sufficient to accommodate all proposed mechanisms; and
9. Draft a spending plan if the municipality maintains or intends to establish an affordable housing trust fund, which includes:
 - o Projection of revenues anticipated from development fees
 - o Projection of revenues from other sources
 - o Description of administrative mechanism that will be used to collect and distribute revenues
 - o Description of use of all affordable housing trust funds
 - o Schedule for expenditure of all housing trust funds
 - o Schedule for creation or rehabilitation of housing units
 - o If supporting or sponsoring public sector or non-profit construction of housing, a pro-forma statement of the anticipated costs and revenues associated with the development
 - o Plan to spend trust fund balance as of date of its third round petition within four years of the council's approval of spending plan
 - o Method through which the municipality will address any expected or unexpected shortfall if revenues aren't sufficient



- Description of anticipated use of excess affordable housing trust funds.

In adopting its housing element, a municipality may provide for its fair share of low and moderate income housing by means of any technique or combination of techniques which provide a realistic opportunity for the provision of the fair share. These potential techniques include but are not limited to:

- Rehabilitation of existing substandard housing units;
- ECHO units;
- Zoning for inclusionary development;
- Redevelopment;
- Municipally-sponsored and 100% affordable developments;
- Accessory apartment program;
- Market to affordable program (formally referred to as a buy down program);
- Supportive and special needs housing;
- Assisted living residences;
- Utilization of funds generated by development fees on new construction to build affordable units;
- Other innovative strategies.

FAIR SHARE PLAN

A. FAIR SHARE OBLIGATION

Regional Income Limits

Dwelling units are affordable to low and moderate income households if the maximum sales price or rental cost is within their ability to pay such costs, based on a specific formula. COAH provides income limits based upon the median gross household income of the COAH housing region in which the household is located. A moderate income household is one with a gross household income equal to or more than 50%, but less than 80%, of the median gross regional household income. A low-income household is one with a gross household income equal to 50% or less of the median gross regional household income. Belleville Township is located in Region 2, which contains Essex, Morris, Union and Warren Counties.



Using the 2008 weighted regional income limits adopted by COAH, a four-person Region 2 median household income is estimated at \$83,771. A moderate-income four-person household would earn a maximum of \$67,017 (80% of regional median) and a four person low-income household would earn a maximum of \$42,886 (50% of regional median). Income levels for one, two, three and four person households as of 2008 are given below.

2008 REGIONAL INCOME LIMITS FOR REGION 2 MUNICIPALITIES					
	1 person	2 person	3 person	4 person	5 person
Median	\$58,640	\$67,017	\$75,394	\$83,771	\$90,473
Moderate	\$46,912	\$53,613	\$60,315	\$67,017	\$72,378
Low	\$29,320	\$33,508	\$37,697	\$42,886	\$45,236

Source: COAH, <http://www.nj.gov/dca/coah/incomelimits.pdf>

COAH Requirements

COAH has specific requirements on unit size distribution, affordable unit sales price and rental costs, bedroom mix among other regulations which are provided in N.J.A.C. 5:80-26.1 et seq. In each affordable development, at least 50% of the restricted units within each bedroom distribution must be low income and the remainder moderate income. For affordable developments that are not age-restricted, not more than 20% of the units may be efficiency or one-bedroom units, and at least 30% shall be two-bedroom units, and at least 20% shall be three-bedroom units. Age-restricted affordable units can provide a modified bedroom distribution.

The monthly cost of owner occupied units, which includes mortgage (principal and interest), taxes, insurance and homeowner's or condominium association fees, may not exceed 28 percent of gross monthly household income. In addition, moderate-income sales units must be available for at least three different prices and low-income sales units available for at least two different prices for each bedroom type.

Under COAH regulations, rents may not exceed 30 percent of the eligible monthly income of the appropriate household size. The maximum average rent must be affordable to households earning not more than 60 percent of median income; the average rent for low and moderate income units must be affordable to households earning no more than 52% of median income.



There must be rents established for each bedroom type having both low and moderate income units provided that 10 percent must be affordable to families earning no more than 35 percent of median income.

Belleville's Fair Share Plan describes the projects, strategies and funding sources that the Township proposes to address its affordable housing obligation as set by COAH. Belleville's Third Round Housing Element and Fair Share Plan addresses a growth share obligation of 123 units. The three components that must be addressed by this plan are contained in the table below.

BELLEVILLE TOWNSHIP: COAH OBLIGATION				
Rehabilitation	Prior Round	Housing Allocation	Employment Allocation	Growth Share
249	0	311 ÷ 5 62.20	980 ÷ 16 61.25	123

Rehabilitation Share

Belleville has been assigned a rehabilitation share of 249 units.

Prior Round Obligation

The Township has no prior round obligation to address in its Third Round Plan. The prior round includes the period between 1987 and 1999.

Growth Share Obligation

Belleville must plan for a growth share obligation of 123 units, lacking any adjustments. COAH projects that the Township will grow by 311 housing units and 980 jobs between 2004 and 2018. COAH's rules call for the following minimum and maximum requirements:

$$\text{Minimum family units} = 50\%(\text{GSO}) = .50(123) = 62$$

$$\text{Minimum rental requirement} = 25\%(\text{GSO}) = .25(123) = 31$$

$$\text{Minimum family rental units} = .50(\text{rental requirement}) = .50(31) = 16$$

$$\text{Maximum age-restricted} = 25\%(\text{GSO}) = .25(123) = 30$$

$$\text{Maximum bonus credits} = 25\%(\text{GSO}) = .25(123) = 30$$



B. ADJUSTMENTS

Belleville is seeking no adjustments for its rehabilitation, prior round or growth share obligation.

C. EXISTING CREDITS

Rehabilitation Credits

Belleville must rehabilitate a total of 249 units. Over the past eight years Belleville residents have taken advantage of Essex County's Housing Rehabilitation Program and have received over \$800,000 in rehabilitation grants. Between April 1, 2000 and December 20, 2004 **40 homes** have been rehabilitated with an average of more than \$19,500 spent per home. Between December 20, 2004 and December 31, 2007 **17 homes** have been rehabilitated utilizing the County program with an average of more than \$16,000 per home spent.

The rehabilitation form contained in the appendix is not complete due to Essex County's limited staff; therefore Belleville's Construction Department has undertaken the task of determining what major systems were repaired for each home that received funds through the County's program. At this time, Belleville is still working on attaining the information.

Third Round Credits

Belleville has a number of existing group home facilities in the Township. The ARC of Essex County alone has seven facilities. Belleville is eligible for a total of 25.75 credits, 23 credits and 2.75 bonus credits for these existing facilities.

The ARC of Essex County has 7 facilities in Belleville, of which only two qualify for COAH credit. The first facility is located at 44 Maple Avenue at Block 470, Lot 9. The facility has 6 bedrooms that serve low-income developmentally disabled adults. The second facility is located at 10 Mount Pleasant Avenue on Block 5201, Lot 2. This facility contains 3 bedrooms that serve low-income developmentally disabled adults. Both facilities are licensed by the New Jersey Department of Human Services Division of Developmental Disabilities.

First Cerebral Palsy of New Jersey maintains two group home facilities in the Township. The first facility is located at 31 Ruozzo Street at Block 712, Lots 59 and 60. The facility has 4 bedrooms that serve handicapped low-income residents. This facility is licensed by the New Jersey Department of Human Services Division of Developmental Disabilities and receives HUD funding. The second



facility is located at 9 Sanford Avenue on Block 722, Lots 6 and 7. This facility is a transitional home to independent living for low-income persons that contains two bedrooms.

Project Live, Inc., a private, non-profit agency that provides a wide range of residential rehabilitation support, vocational, and social services to mentally ill adults in Essex County and has two group homes for chronic mentally ill adults in Belleville. These supportive housing units are funded by HUD, Federal Home Loan Bank and Home Funds through Essex County. The first facility is located at 21 Jeraldo Street on Block 789, Lot 15 and has 3 bedrooms for low-income residents. The second facility is located at 61 Smith Street on Block 252, Lot 16 and has 3 low-income bedrooms.

The Federation of Multicultural Programs of New Jersey, Inc. operates a group home for developmentally disabled adults at 51 Parkview Avenue. This facility is licensed by the New Jersey Department of Human Services Division of Developmental Disabilities and serves five adults. The facility received a Certificate of Occupancy in February of 2004 and was licensed in 2005.

EXISTING CREDITS				
Facility	Type	Credit	Bonus	Total
ARC @ 44 Maple Ave.	Group Home	3		3
ARC @ 10 Mt. Pleasant Ave.	Group Home	3	0.75	3.75
Cerebral Palsy @ 31 Ruozzo St.	Group Home	4		4
Cerebral Palsy @ 9 Sanford Ave.	Group Home	2		2
Project Live @ 61 Smith St.	Group Home	3		3
Project Live @ 21 Jeraldo St.	Group Home	3	0.75	3.75
Parkview Residence	Group Home	5	1.25	6.25
TOTAL		23	2.75	25.75

Belleville has a total of 25.75 rehabilitation credits and 25.75 other existing credits, for a total of 82.75 existing credits within the Township.

D. PROPOSED MECHANISMS

Rehabilitation

Belleville intends to continue to encourage residents to utilize Essex County's Housing Rehabilitation Program to revitalize existing substandard housing units in the Township. Over the past eight years an average of 7 units per year have been completed through the program. Essex County requires 20 year affordability controls in the form of a lien. Belleville anticipates at least 70 homes will utilize Essex County's program between now and the end of the Third Round period.

In addition to the County's program, Belleville proposes to begin a Township rehabilitation program through the use of development fee funds. The number of homes realistically possible would depend on the amount of funds generated. It is anticipated that Belleville would have enough money in the trust fund by the end of 2010 to begin a Township sponsored rehabilitation program.

Third Round Mechanisms

1. Washington River Run

As part of an inclusionary development, **7 family rentals** will be constructed by 2011 at the Washington River Run development at 632 Washington Avenue - Block 9101, Lot 10. The parcel is 3.6 acres and is owned by 666 Washington Realty, Inc, who has site control. In addition to the affordable units there will be market-rate units and retail space. The Administrative entity will be determined once construction begins. The schedule for construction and occupancy can be found in the implementation schedule.

2. Franklin Group Development

This is a proposed age-restricted development to be located behind the Senior Center on Franklin Avenue and Mill Street on Block 3102, Lot 2 and Block 2401, Lot 3. The site will be studied to determine if it is an area in need of redevelopment and then purchased by the Franklin Group, who proposes to construct an estimated **161 age-restricted affordable rental units**. The project will be funded through tax credits as well as monies from Essex County. Development is

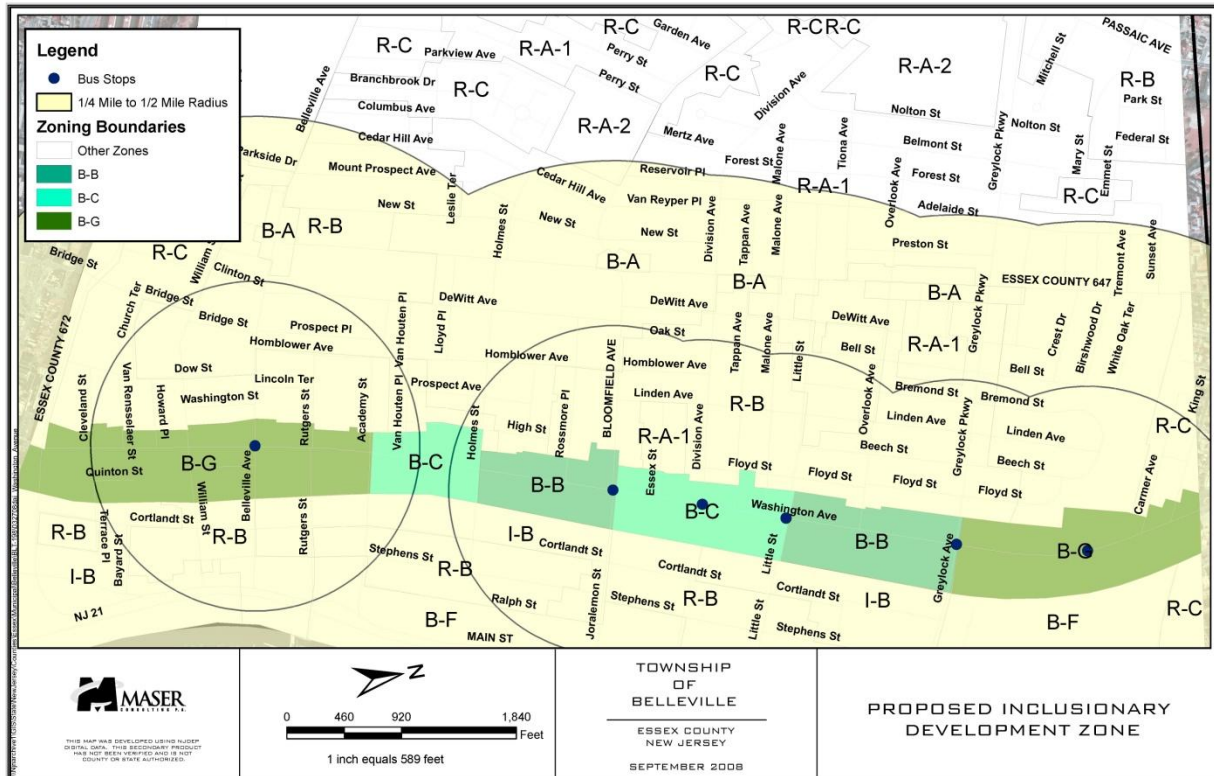


anticipated to begin one year after site acquisition. The anticipated schedule for construction and occupancy can be found in the implementation schedule.

3. Zoning for inclusionary development – Washington Avenue Area

The Township is proposing an inclusionary zoning ordinance for the B-G Zone and the B-C Zone that would permit mixed-use buildings with commercial space on the first floor and residential units above. The density would be increased to 24 units per acre with a mandatory 20% set-aside. The inclusionary zoning ordinance would also include the B-B Zone that is present along Washington Avenue, which would be renamed due to other B-B Zones existing in other sections of Belleville. This renamed B-B Zone would permit mixed-use development with commercial space on the first floor and residential units above at an increased density of 24 units per acre with a mandatory 20% set-aside.

The Township is targeting the Washington Avenue area for redevelopment due to its existing mixed-use character, municipal services and New Jersey Transit bus lines running along the corridor. The Township will increase the zoning in each of the aforementioned zones to 24 units per acre with a mandatory 20% set-aside. The Township will increase its payment in lieu from \$80,000 to \$148,683 per affordable unit. The entirety of Washington Avenue is within a five minute walk of numerous bus stops; therefore new affordable units would be eligible for 0.33 bonus credit once the minimum rental obligation is fulfilled. By increasing the density and therefore the property value of these parcels within the proposed inclusionary zone, Belleville anticipates the construction of at least **37 affordable** units. The proposed inclusionary development zone is delineated in green in the following map.



4. Development Fee

The Township will create a development fee ordinance that will impose a 2.5% equalized assessed value (EAV) fee on non-residential development and a 1.5% EAV on residential development outside the inclusionary zoned areas to go into the housing fund. The monies generated will be used for the Township-sponsored rehabilitation program, an affordability assistance program and to assist with administrative costs.

Summary of Fair Share Plan Strategies

EXISTING/PROPOSED CREDITS ADDRESSING THE GROWTH SHARE OBLIGATION			
Unit Type	Credits	Bonuses	Total
Family Rentals			
Washington River Run - Washington Avenue	7	-	7
Future Inclusionary Development - Washington Ave.	12	-	12
Future Inclusionary Development - Washington Ave.	25	25	50
SUBTOTAL	44	25	69
Special Needs/Supportive Housing Rentals			
ARC @ 44 Maple Ave.	3	-	3
ARC @ 10 Mt. Pleasant Ave.	3	0.75	3.75
Cerebral Palsy @ 31 Ruozzo St.	4	-	4
Cerebral Palsy @ 9 Sanford Ave.	2	-	2
Project Live @ 61 Smith St.	3	-	3
Project Live @ 21 Jeraldo St.	3	0.75	3.75
Parkview Residence	5	1.25	6.25
SUBTOTAL	23	2.75	25.75
Age-Restricted Rentals			
Franklin Group - Franklin Avenue	30	-	30
SUBTOTAL	30	0	30
TOTAL	97	27.75	124.75

* Red cells denote required minimum rental obligation that cannot receive bonus credits

E. IMPLEMENTATION SCHEDULE

IMPLEMENTATION SCHEDULE											
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Washington River Run											
Obtain Permits											
Construction											
Occupancy											
Franklin Group Development											
Prepare & Adopt Redevelopment Plan											
Obtain control of site											
Obtain Permits											
Construction											
Occupancy											
Inclusionary Development - Washington Ave.											
Adopt Ordinance											
Advertise Ordinance Adoption											
Development Fees											
Township-Sponsored Rehabilitation Program											
County-Sponsored Rehabilitation Program											



F. SPENDING PLAN

Belleville Township will adopt a Development Fee Ordinance to capture funds to be used to support its affordable housing obligations. These funds will be used for the following purposes.

- Municipally-sponsored rehabilitation program to support the existing Essex County program
- Affordability assistance program to render rents in future affordable units affordable to very low income households
- Administrative costs – not to exceed 20% of the funds

Based upon the project the development activity, Belleville expects to collect about \$657,218 during the remainder of the Third Round period, based on 2008 dollars and the following assumptions:

- Residential fees at 1.5% the equalized assessed value, assuming an average house value of \$304,092 using Belleville Tax Assessor's average value
- Non-residential fees at 2.5% the equalized assessed value, based on average square feet assessment using values from the Township Tax Assessor to project future development values, based on 2008 dollars

The following table shows the projected development, assessed value and projected development fees that the development will generate.

PROJECTED NEW DEVELOPMENT & RESULTING DEVELOPMENT FEES												
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Residential	2	9	10	4	8	9	10	9	10	8	10	89
A3 - Assembly	0	1,500	0	0	3,000	0	0	4,500	0	800	0	9,800
A4 - Assembly	0	0	2,000	0	0	0	1,500	0	0	2,400	0	5,900
B - Office	2,000	0	4,000	0	1,750	3,000	0	1,500	0	10,000	0	22,250
M - Retail	1,000	0	2,500	0	3,000	0	7,500	0	3,500	0	2,000	19,500
S - Storage	2,000	1,000	0	5,000	0	10,000	0	15,000	0	25,000	0	58,000
Total	5,002	2,509	8,510	5,004	7,758	13,009	9,010	21,009	3,510	38,208	2,010	115,539
PROJECTED NEW DEVELOPMENT ASSESMENT VALUE												
Residential	\$608,184	\$2,736,828	\$3,040,920	\$1,216,368	\$2,432,736	\$2,736,828	\$3,040,920	\$2,736,828	\$3,040,920	\$2,432,736	\$3,040,920	\$27,064,188
A3 - Assembly	\$0	\$127,500	\$0	\$0	\$255,000	\$0	\$0	\$382,500	\$0	\$68,000	\$0	\$833,000
A4 - Assembly	\$0	\$0	\$170,000	\$0	\$0	\$0	\$127,500	\$0	\$0	\$204,000	\$0	\$501,500
B - Office	\$360,000	\$0	\$720,000	\$0	\$315,000	\$540,000	\$0	\$270,000	\$0	\$1,800,000	\$0	\$4,005,000
M - Retail	\$160,000	\$0	\$400,000	\$0	\$480,000	\$0	\$1,200,000	\$0	\$560,000	\$0	\$320,000	\$3,120,000
S - Storage	\$0	\$0	\$0	\$275,000	\$0	\$550,000	\$0	\$0	\$0	\$0	\$0	\$825,000
Total	\$1,128,184	\$2,864,328	\$4,330,920	\$1,491,368	\$3,482,736	\$1,691,170	\$4,368,420	\$3,389,328	\$3,600,920	\$4,504,736	\$3,360,920	\$36,348,688
PROJECTED NEW DEVELOPMENT FEE												
Residential	\$9,123	\$41,052	\$45,614	\$18,246	\$36,491	\$41,052	\$45,614	\$41,052	\$45,614	\$36,491	\$45,614	\$405,963
A3 - Assembly	\$0	\$3,188	\$0	\$0	\$6,375	\$0	\$0	\$9,563	\$0	\$1,700	\$0	\$20,825
A4 - Assembly	\$0	\$0	\$4,250	\$0	\$0	\$0	\$3,188	\$0	\$0	\$5,100	\$0	\$12,538
B - Office	\$9,000	\$0	\$18,000	\$0	\$7,875	\$13,500	\$0	\$6,750	\$0	\$45,000	\$0	\$100,125
M - Retail	\$4,000	\$0	\$10,000	\$0	\$12,000	\$0	\$30,000	\$0	\$14,000	\$0	\$8,000	\$78,000
S - Storage	\$0	\$0	\$0	\$6,875	\$0	\$13,750	\$0	\$0	\$0	\$0	\$0	\$20,625
Total	\$22,123	\$44,240	\$77,864	\$25,121	\$62,741	\$68,302	\$78,801	\$57,365	\$59,614	\$88,291	\$53,614	\$638,075

*Note that 2008, 2010 and 2011 number of units are due to development that has already received a CO or is apart of a developer's agreement

The detailed Spending Plan is located in the Appendix.



APPENDIX

1. Water & Sewer Capacity
2. Rehabilitation Unit Forms
3. Existing Group Homes Documentation
4. Draft Development Fee Ordinance
5. Draft Affordable Housing Ordinance
6. Draft Marketing Plan
7. Draft Housing Trust Fund Spending Plan

TOWNSHIP of BELLEVILLE

ESSEX COUNTY

ENGINEERING DEPARTMENT
152 WASHINGTON AVENUE
BELLEVILLE, NEW JERSEY 07109



973-450-3414
973-450-3442
Fax: 973-759-8066

July 21, 2008

Maser Consulting P.A.
Perryville III Corporate Park
P.O. Box 4017
53 Frontage Road, Suite 120
Clinton, NJ 08809

Attn: Darlene Jay

Re: Belleville Township, Essex County
Affordable Housing Plan
Project No. BLT-001

Dear Ms. Jay:

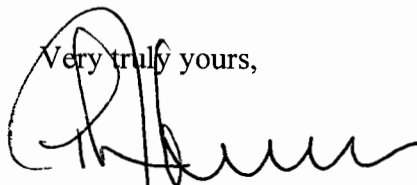
As per your request, please be advised of the following regarding water and sewer capacity for new developments:

- Water – The Township currently has capacity to support new development. The Township purchases bulk treated water from the City of Newark. The water is delivered through three (3) separate interconnections with the Newark Aqueducts that traverse the Township.
- Sewer – In general, the Township has sufficient sewer capacity for new development. However, depending on the location of the said development, off-site improvements to the sanitary sewer collection system may be required of the developer.

The Township's sewerage is treated by the Passaic Valley Sewerage Commission.

Should you have any questions, or require any additional information, do not hesitate to contact me.

Very truly yours,



Thomas J. Herits PE PP PLS
Belleville Township Engineer



COUNTY OF ESSEX
HOME IMPROVEMENT PROGRAM (HIP)
ELIGIBILITY REQUIREMENTS

Intake #: _____

Thank you for your recent inquiry regarding the Essex County Home Improvement Program (HIP).

Homeownership Eligibility Requirements

- The Home Improvement Program (HIP) is open to Essex County owners with the exception of Newark, East Orange, Irvington and Bloomfield. These municipalities have their own office to assist them. Please see below list. The Division of Housing and Community Development will make a no interest (0)% deferred loan to assist you in the repairs of your house. The loan will be secured with the placement of a twenty (20) year lien on the property.
- To qualify, the homeowner's household must be of moderate income, or less which includes household whose total gross income is less than 80% of the median income. These limits are established by the U.S. Department of Housing and Urban Development (HUD).
- Include every working person in the household income(s) (combine income). Program based on income eligibility. It is mandatory to meet the requirements below.

Person(s)	Moderate- (80%) Not to exceed
1	\$43,050
2	\$49,200
3	\$55,350
4	\$61,500
5	\$66,400
6	\$71,350
7	\$76,250
8	\$81,200

- This property must serve as the homeowner's principal residence for the length of the agreement. Properties that would be considered:

A single family property (one unit)
A condominium unit
A manufactured home

A two-to three-unit property

NO INVESTMENT PROPERTIES

Newark Housing & Community Development (973) 733-8400
Bloomfield Housing & Community Development (973) 680-4189
East Orange Housing & Community Development (973) 266-5143
Irvington Housing & Community Development (973) 399-6784/973) 399-6657

Putting Essex County First

ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

Type of Work Requested
(PLEASE CIRCLE)

INTERIOR EXTERIOR ENERGY

Doors	Siding	Insulation
Electrical	Leaders	Pipe Insulation
Plumbing	Gutters	Caulking
Heating	Porch	Weather Stripping
Waterproofing	Steps	Thermostat
Sump pump	Garage Door	Burner
Smoke Alarms	Cellar Door	Fire Escape
Windows	Chimney	

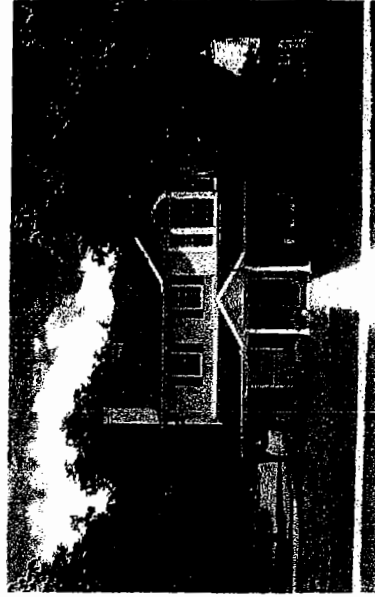
Other:

Joseph N. DiVincenzo, Jr.

Essex County Executive



ESSEX COUNTY HOME IMPROVEMENT PROGRAM



Division of Housing

and

Community Development

20 Crestmont Road

Verona, New Jersey 07044

Telephone: (973) 655-0200

Fax No. #: (973) 655-0982

Division of Housing & Community Development

Putting Essex County First

Board of Chosen Freeholders

Blonnie R. Watson
President

Ralph R. Caputo
Vice President

Johnny Jones

Donald M. Payne, Jr.

Patricia Sebold

Samuel Gonzalez

D. Bilal Beasley

Carol Y. Clark

Linda Lordi Cavanaugh

Anibal Ramos, Jr.

Department Director

Department of Economic Development,
Training & Employment

E. Michael Taylor

Division Director

Are you a homeowner who needs repairs to your house?

Are you financially strapped and unable to pay for renovations?

The Essex County Home Improvement Program may be able to help you

What is the Home Improvement Program?

The Home Improvement Program is funded through the Community Development Block Grant Program. It provides Deferred Loans to low and moderate income homeowners who occupy a 1 to 3 family home. Residents of the following municipalities are eligible for assistance through this program.

Belleville	Montclair
Caldwell	North Caldwell
Cedar Grove	Nutley
Essex Fells	Orange
Fairfield	Roseland
Glen Ridge	South Orange
Livingston	Verona
Maplewood	West Caldwell
Millburn	West Orange

*** For Newark, East Orange, Irvington, and Bloomfield;**
Please contact their local Housing Authority.

Please contact our Loan Advisors for additional information.

Elvin Perelra and Esther Martinez

Telephone: (973) 655-0200

Fax No. #: (973) 655-0982

Will I have to repay the Deferred Loan?

A lien will be recorded against your property. The lien must be paid off only if you sell or transfer ownership of the property within a 20 year period.

Who is eligible?

Homeowners who occupy a 1 to 3 family home in a participating municipality and who meet program income guidelines.

What type of improvements are eligible?

Examples of eligible improvements include:

Heating system, roofing, plumbing, electrical, and code violation abatement.

REQUEST FOR HOME IMPROVEMENT PROGRAM APPLICATION

Date: _____

Name(s): _____

Address: _____

City/Town: _____ State: _____

Zip Code: _____

Home Phone: _____

Work Phone: _____

Please answer YES or NO

Owner Occupant? Y/N _____

Handicapped? Y/N _____

Senior Citizen? Y/N _____

Female Head of Household? Y/N _____

Marital Status (please check one):

Single _____ Married _____

Divorced _____ Widow/Widower _____

Family Size: _____

Number of Dwelling Units: _____

Annual Income: \$ _____

Please contact the Division for further information
or complete the Application Request and return it to

The
Essex County Division of Housing
and
Community Development

20 Crestmont Road

Verona, NJ 07044

973-655-0200

Monday—Friday 8:30am to 4:30pm

Unit Information - Rehabilitation

Municipality Name:	<u>Belleville</u>	County:	<u>Essex</u>
Muni Code:	<u> </u>		
Project / Program:	<u>Essex County Home Improvement Program</u>		
COAH Project Number (COAH use)	<u> </u>		

2							3	4	5	6	7	8	9	10	11	12	13	14	15	16
Address	Unit / Apt Number	block	block suffix	lot	lot suffix	qualifer	rental / for-sale	income level	final inspection date	funds expended on hard costs	development fees expended	funds recaptured	major system(s) repaired	was unit below code and raised to code?	effective date of affordability controls	perpetual lien	length of affordability controls	date affordability controls removed	reason for removal of controls	creditworthy (COAH USE)
							(select one)	(select one)	(mm/dd/yyyy)	(\$)	(\$)	(\$)	(select one)	(y/n)	(mm/dd/yyyy)	(√)	(years)	(mm/dd/yyyy)	(select one)	(y/n)
17 New Street		366		89			For Sale		10/5/2004	6700.00			Roof	Yes	10/5/2004					Yes
173 Heckel Street		784		45			For Sale		9/23/2004	24875.00			Roof	Yes	9/23/2004					Yes
37 Fairway Avenue		601		33			For Sale		8/20/2004	12100.00			Heating	Yes	8/20/2004					Yes
7 Crescent Terrace		340		37			For Sale		5/5/2004	12500.00			Weatherization (Insulation/Siding/Windows/Door)	Yes	5/5/2004					Yes
50 New Street	A	260		19			For Sale		1/9/2004	5000.00			Roof	Yes	1/9/2004					Yes
50 New Street	B	260		19			For Sale		1/9/2004	5000.00			Roof	Yes	1/9/2004					Yes
120 Mill Street	A	116		46			For Sale		10/17/2003	12625.00			Weatherization (Insulation/Siding/Windows/Door)	Yes	10/17/2003					Yes
120 Mill Street	B	116		46			For Sale		10/17/2003	12625.00			Electrical	Yes	10/17/2003					Yes
87 Heckel Street	A	791		18			For Sale		8/8/2003	9420.00			Plumbing/Wells	Yes	8/8/2003					Yes
87 Heckel Street	B	791		18			For Sale		8/8/2003	9420.00			Plumbing/Wells	Yes	8/8/2003					Yes
11 Cedar Hill Avenue	A	264		46			For Sale		7/9/2008	14250.00			Roof	Yes	7/9/2008					Yes
11 Cedar Hill Avenue	B	264		46			For Sale		7/9/2008	14250.00			Roof	Yes	7/9/2008					Yes
76 Dewitt Avenue		191		37			For Sale						Roof	Yes						Yes
71 Belleville Avenue		73		21			For Sale		12/5/2002	4260.00			Weatherization (Insulation/Siding/Windows/Door)	Yes	12/5/2002					Yes
14 Division Avenue		142		14			For Sale		5/21/2002	248000.00			Roof	Yes	5/21/2002					Yes
76 Tappan Avenue		208		33			For Sale		4/19/2002	24440.00			Heating	Yes	4/19/2002					Yes
101 Continental Avenue		615		27			For Sale		3/28/2002	21000.00			Roof	Yes	3/28/2002					Yes
5 No. 11th Street	A	788		20			For Sale		2/2/2002	9013.00			Roof	Yes	2/2/2002					Yes
5 No. 11th Street	B	788		20			For Sale		2/2/2002	9013.00			Roof	Yes	2/2/2002					Yes
5 No. 11th Street	C	788		20			For Sale		2/2/2002	9013.00			Roof	Yes	2/2/2002					Yes
28 Watchung Avenue		754		8			For Sale		12/6/2001	25000.00			Roof	Yes	12/6/2001					Yes
29 Charles Street		557		72			For Sale		11/30/2001	25000.00			Weatherization (Insulation/Siding/Windows/Door)	Yes	11/30/2001					Yes
13 Mary Street	A	377		18			For Sale		6/27/2001	14250.00			Plumbing/Wells	Yes	6/27/2001					Yes

Verification by Municipal Housing Liaison that all households are income eligible, that appropriate affordability controls are in place and that rental prices conform to COAH regulations.

Verification by Building Code Official that units were below code and raised to code per the NJ State Housing Code or the Rehabilitation Subcode and that the work involved major systems.

Municipal Housing Liaison _____ Date (mm/dd/yyyy) _____

Updated 07-06-07

[illegible]

Council on Affordable Housing (COAH) Alternative Living Arrangement Survey

Municipality: BELLEVILLE County: ESSEX
 Sponsor: Federation of Multicultural Programs Developer: Gwen Fenton (DDD)
 Contracted by DDD - NJ
 Block: _____ Lot: _____ Street Address 51 Parkview Ave

Facility Name: EMCPWI, Inc. - Bloomfield G. H.

Type of Facility:

- ☒ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☐ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS))
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs)
- ☐ Congregate living arrangement
- ☐ Other - Please Specify: _____

Sources of funding committed to the project:

- ☐ Capital funding from State - Amount \$ _____
- ☐ Balanced Housing - Amount \$ _____
- ☐ HUD - Amount \$ _____
- ☐ Federal Home Loan Bank - Amount \$ _____
- ☐ Farmers Home Administration - Amount \$ _____
- ☐ Development fees - Amount \$ _____
- ☐ Bank financing - Amount \$ _____
- ☐ Other - Please specify: _____

☐ Please provide a pro forma for proposed projects

Total # of clients 5

Total # of low-income clients 0

Total # of moderate-income clients 0

Total # of market-income clients 0

of total bedrooms 5

of low-income bedrooms 0

of moderate-income bedrooms 0

of market-income bedrooms 0

Length of Controls: _____ years

Effective Date of Controls: 1/1/

Expiration Date of Controls: 1/1/

Average Length of Stay: _____ months (transitional facilities only)

☐ CO Date: 2/25/04

Indicate licensing agency:

☒ DDD ☐ DMHS ☐ DHSS ☐ DCA

Initial License Date: 3/31/05

Current License Date: 1/1/

The following verification is attached:

- ☒ Copy of deed restriction or mortgage and/or mortgage note with deed restriction (30-year minimum, HUD, FHA, FHLB, BHP deed restriction, etc.)
- ☐ Copy of capital Application Funding Unit (CAFU) or DHS Capital Application Letter (20 year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☒ Yes ☐ No

Age-restricted? ☐ Yes ☒ No

Population Served (describe): developmentally disabled adults

Accessible (in accordance with NJ Barrier Free Subcode)? ☒ Yes ☐ No

Affirmative Marketing Strategy (check all that apply):

☒ DDD/DMHS/DHSS waiting list

☐ Other (please specify): _____

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by: Valerie Edwards (H) Date: 9.10.08
 Project Administrator

Certified by: _____ Date: _____
 Municipal Housing Liaison

09/09/2008 16:58

7189226871

BEATRICE GONZALEZ

PAGE 02

Deed

This Deed is made on September 22, 2003.

BETWEEN
AMGAD A. MOHAMED

whose post office address is
51 Parkview Avenue
Belleville, New Jersey

referred to as the Grantor,
AND
RACHEL'S PARKVIEW, INC., A New Jersey Corporation

whose post office address is
2 Van Sinderen Avenue, Brooklyn, New York 11207

referred to as the Grantee.
The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

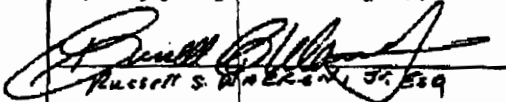
1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of TWO HUNDRED AND SEVENTY-ONE THOUSAND DOLLARS (\$271,000.00).
The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** (N.J.S.A. 48:15-1.1) Municipality of Belleville
Block No. 339 Lot No. 30 Qualifier No. Account No.
☐ No property tax identification number is available on the date of this Deed. (Check Box if Applicable.)

3. **Property.** The Property consists of the land and all the buildings and structures on the land in the Township of Belleville and State of New Jersey. The legal description is:

☒ Please see attached Legal Description annexed hereto and made a part hereof. (Check Box if Applicable.)

Prepared by: (print signer's name below signature)


Russell S. Wierzbicki, Jr. Esq.

(For Recorder's Use Only)

09/09/2008 16:58

7189225871

BEATRICE GONZALEZ

PAGE 03


BEING the same premises conveyed to AMGAD A. MOHAMED by Deed from EDNA MYRTLE PENDLEBURY, WIDOW, BY JOSEPH R. PENDLEBURY, ATTORNEY-IN-FACT, dated 02/24/1992 and recorded 03/03/1992 in the Essex County Register's Office in Deed Book 5203, Page 198.

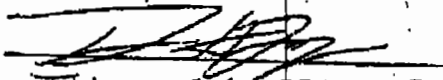
The street address of the Property is:
51 Parkview Avenue
Belleville, New Jersey 07109

4. Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. Signatures. The Grantor signs this Deed as of the date at the top of the first page. (Print name below each signature.)

Witnessed By:

 (Seal)
AMGAD A. MOHAMED


THOMAS G. PREY, ESQ.

(Seal)

(Seal)

STATE OF NEW JERSEY, COUNTY OF ESSEX
I CERTIFY that on SEPTEMBER 22, 2003
AMGAD A. MOHAMED


SS.

personally came before me and stated to my satisfaction that this person (or if more than one, each person):
(a) was the maker of this Deed;

(b) executed this Deed as his or her own act; and,

(c) made this Deed for \$ 271,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

RECORD AND RETURN TO:
RUSSELL S. WARREN, JR.
Attorney at Law
473 Sylvan Avenue
Englewood Cliffs, NJ 07632


(Print name and title below signature)
ATTORNEY AT LAW
STATE OF NJ

Township of Belleville



CERTIFICATE

Date issued 2/25/04
Contract #
Permit # 2003-893

Block 339 IDENTIFICATION
West Site Location 51 PARKVIEW AVENUE
Owner or First Occupant RACHAELS PARKVIEW INC.
Address 326 RT. 22 W. SUITE
GREENBROOK, N.J. 08812
Tel. ()
Contractor JOB DONE RIGHT INC.
Address 1 CRESCENT TERR.
BELLEVILLE, N.J. 07109
Tel. () Fax ()
Lic. No. or Bldg. Reg. No. 2419
Federation No. 0-030-400-587

RENOVATION TO BATHROOM FOR HANDICAP
REPLACE STAIRS

Home Warranty No.
Type of Warranty Plan 1 1 Size 1 1 Periode
Use Group R-3
Minimum Use Load
Construction Classification
Minimum Occupancy Load
Description of Work/Use

XX CERTIFICATE OF OCCUPANCY

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

BK CERTIFICATE OF APPROVAL

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

□ TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE

If this is a temporary Certificate of Occupancy or Compliance, the following conditions must be met no later than _____ or the owner will be subject to fine or order to vacate.

□ CERTIFICATE OF CLEARANCE — LEAD ABATEMENT 5:17

This serves notice that based on written certification, lead abatement was performed as per NJAC 5:17, to the following extent:

- () Total removal of lead-based paint hazards in scope of work
- () Partial or limited time period () years; see file.

□ CERTIFICATE OF CONTINUED OCCUPANCY

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

□ CERTIFICATE OF COMPLIANCE

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until _____.

FRANK DEODRENZO JR.

CONSTRUCTION OFFICIAL

U.J.C. #200
(Per 2004)

Fee
Paid by CHECK NO.
Category: GAIL

FEE PAID WITH PERMIT

1 WRITE — APPLICANT 2 CASH — OFFICE 3 PERM — TAX/ASSESSOR



License Number GH1161

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
GROUP HOME

LICENSE

This is to certify that 61 PARKVIEW AVENUE

BELLEVILLE, NJ 07109

Operated by

FED. OF MULTICULTURAL PROG. OF N.J. INC.Having met the requirements of the New Jersey Statute,
P.L. 1977, c. 446,

and the regulations of this Department, is hereby licensed as a

GROUP HOME
(Type of residence)from 5/31/2007
(date issued)for 5 individuals
(number)
effective to 5/31/2008
(expiration date)

Jennifer Velaz, Commissioner, Department of Human Services



License Number GH1161

State of New Jersey
DEPARTMENT OF HUMAN SERVICES

LICENSE

This is to certify that

STARRGREN AVENUE

DELSVILLE, NJ 07400

Operated by

FED. OF MULTICULTURAL BROS. OF N.J. INC.

Having met the requirements of the New Jersey Statute,
P.L. 1977, c. 448, and the regulations of this Department is hereby licensed as a

GROUP HOME of residence) for 9 individuals (number)

from 3/31/2005 (date issued) effective to 4/30/2008 (expiration date)

State Office of Licensing and Inspection
Division of Developmental Disabilities
Department of Human Services

Council on Affordable Housing (COAH)
Alternative Living Arrangement Survey

Municipality: Belleville County: Essex

Sponsor: 1st Cerebral Palsy of NJ Developer: _____

Block: 712 Lot: 59+60 Street Address 7 Sanford Avenue (management address)

Facility Name: Thirty one Ruggs Street, Inc

Type of Facility:

- ☒ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☐ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS))
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs or NJ Dept. of Human Services)
- ☐ Congregate living arrangement
- ☐ Other – Please Specify: _____

Sources of funding committed to the project (check all that apply):

- ☐ Capital funding from State – Amount \$ _____
- ☐ Balanced Housing – Amount \$ _____
- ☒ HUD – Amount \$ _____
- ☐ Federal Home Loan Bank – Amount \$ _____
- ☐ Farmers Home Administration – Amount \$ _____
- ☐ Development fees – Amount \$ _____
- ☐ Bank financing – Amount \$ _____
- ☐ Other – Please specify: _____

☐ Please provide a pro forma for proposed projects

of total bedrooms 4

of low-income residents 6

of moderate-income residents 0

of market residents 0

Residents qualify as low or moderate income?

☒ Yes ☐ No

Length of Controls: _____ years

Effective Date of Controls: __/__/__

Expiration Date of Controls: __/__/__

Average Length of Stay: _____ months (transitional facilities only)

☐ CO Date: __/__/__

Indicate licensing agency:

☐ DDD ☐ DMHS ☐ DHSS ☐ DCA

Initial License Date: __/__/__

Current License Date: __/__/__

The following verification is attached:

- ☐ Copy of deed restriction (30-year minimum, HUD, FHA, FHLB, BHP deed restriction, etc.)
- ☐ Copy of Capital Application Funding Unit (CAFU) Letter (20-year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☒ Yes ☐ No

Age-restricted? ☐ Yes ☒ No

Population Served (describe): handicapped

Accessible (in accordance with NJ Barrier Free Subcode)? ☒ Yes ☐ No

Affirmative Marketing Strategy (check all that apply):

☒ DDD/DMHS/DHSS/DCA waiting list

☐ Other (please specify): _____

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by:

V Walsh
Project Administrator

7/24/08
Date

Certified by:

Municipal Housing Liaison

Date

Council on Affordable Housing (COAH)
Alternative Living Arrangement Survey

Municipality: Belleville County: Essex

Sponsor: 1st Cerebral Palsy of NJ Developer: _____

Block: 722 Lot: 6+7 Street Address 9 Sanford Avenue

Facility Name: Cerebral Palsy Independent Living

Type of Facility:

- ☐ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☐ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS))
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs or NJ Dept. of Human Services)
- ☐ Congregate living arrangement

☒ Other – Please Specify: transition to independent living

Sources of funding committed to the project (check all that apply):

- ☐ Capital funding from State – Amount \$ _____
- ☐ Balanced Housing – Amount \$ _____
- ☐ HUD – Amount \$ _____
- ☐ Federal Home Loan Bank – Amount \$ _____
- ☐ Farmers Home Administration – Amount \$ _____
- ☐ Development fees – Amount \$ _____
- ☐ Bank financing – Amount \$ _____
- ☐ Other – Please specify: _____

☐ Please provide a pro forma for proposed projects

of total bedrooms 2
of low-income residents 1
of moderate-income residents 0
of market residents 0

Residents qualify as low or moderate income?

☒ Yes ☐ No

Length of Controls: _____ years

Effective Date of Controls: ____/____/____

Expiration Date of Controls: ____/____/____

Average Length of Stay: _____ months (transitional facilities only)

☐ CO Date: ____/____/____

Indicate licensing agency:

☐ DDD ☐ DMHS ☐ DHSS ☐ DCA

Initial License Date: ____/____/____

Current License Date: ____/____/____

The following verification is attached:

- ☐ Copy of deed restriction (30-year minimum, HUD, FHA, FHLB, BHP deed restriction, etc.)
- ☐ Copy of Capital Application Funding Unit (CAFU) Letter (20-year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☐ Yes ☐ No

Age-restricted? ☐ Yes ☒ No

Population Served (describe): _____

Accessible (in accordance with NJ Barrier Free Subcode)? ☒ Yes ☐ No

Affirmative Marketing Strategy (check all that apply):

☒ DDD/DMHS/DHSS/DCA waiting list

☐ Other (please specify): _____

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by:

Y. Waelen

Project Administrator

7/24/08

Date

Certified by:

Municipal Housing Liaison

Date



License Number SA271

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
SUPERVISED APARTMENT
LICENSE

This is to certify that 20-28 ROCCO STREET

APTS 21 & 22

BELLEVILLE, NJ 07109

Operated by

FIRST CEREBRAL PALSY CENTER OF NJ

Having met the requirements of the New Jersey Statute

P.L. 1977, c. 446

and the provisions of the Department is hereby licensed as a

SUPERVISED APARTMENT

(Type of license)

from 6/30/2008

(expiration date)

6

(Number of beds)

effective to

6/30/2008

(expiration date)

(Number of beds)

(Number of beds)

(Number of beds)

(Number of beds)

(Number of beds)

(Number of beds)

(Number of beds)

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(Number of beds)

(Number of beds)

(Number of beds)

(Number of beds)

(Number of beds)

(Number of beds)

(Number of beds)

(Number of beds)



License Number GH597

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
GROUP HOME
LICENSE

This is to certify that 31 CUOZZO STREET

BELLEVILLE, NJ 07109

OPERATED BY
FIRST CEREBRAL PALSY CENTER OF NJ

Having met the requirements of the New Jersey Statute,
 P.L. 1977, c. 448,
 and the regulations of this Department, is hereby licensed as a

GROUP HOME
 (type of residence)
 from 6/30/2008
 (date issued)

for 6 Individuals
 (number)
 effective to 12/30/2008
 (expiration date)

Jennifer Velez, Commissioner, Department of Human Services

Council on Affordable Housing (COAH)
Alternative Living Arrangement Survey

Municipality: Belleville County: Essex

Sponsor: ARC of Essex Developer: Same

Block: 470 Lot: 9 Street Address 44 Maple Avenue

Facility Name: Belleville Community Residence

Type of Facility:

- ☒ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☐ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS))
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs or NJ Dept. of Human Services)
- ☐ Congregate living arrangement
- ☐ Other - Please Specify: _____

Sources of funding committed to the project (check all that apply):

- ☐ Capital funding from State - Amount \$ _____
- ☐ Balanced Housing - Amount \$ _____
- ☐ HUD - Amount \$ _____
- ☐ Federal Home Loan Bank - Amount \$ _____
- ☐ Farmers Home Administration - Amount \$ _____
- ☐ Development fees - Amount \$ _____
- ☐ Bank financing - Amount \$ _____
- ☐ Other - Please specify: _____

☐ Please provide a pro forma for proposed projects

of total bedrooms 6

of low-income residents 6

of moderate-income residents _____

of market residents _____

Residents qualify as low or moderate income?

☒ Yes ☐ No

Length of Controls: _____ years

Effective Date of Controls: ____/____/____

Expiration Date of Controls: ____/____/____

Average Length of Stay: _____ months (transitional facilities only)

☒ CO Date: 7/9/1982

Indicate licensing agency:

☒ DDD ☐ DMHS ☐ DHSS ☐ DCA

Initial License Date: 7/1/1982

Current License Date: 9/30/07 - 9/30/08

The following verification is attached:

- ☐ Copy of deed restriction (30-year minimum, HUD, FHA, FHLB, BHP deed restriction, etc.)
- ☐ Copy of Capital Application Funding Unit (CAFU) Letter (20-year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☒ Yes ☐ No

Age-restricted? ☒ Yes ☐ No

Population Served (describe): Developmentally Disabled Adults

Accessible (in accordance with NJ Barrier Free Subcode)? ☐ Yes ☒ No

Affirmative Marketing Strategy (check all that apply):

☒ DDD/DMHS/DHSS/DCA waiting list

☐ Other (please specify): _____

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by:

Barbara Calderone
Project Administrator

7/23/08
Date

Certified by:

Municipal Housing Liaison

Date

Building Permit No. 22688 MAP 57 BLOCK 470 LOT 9

Building Department

Belleville, New Jersey

Certificate of Occupancy

Date July 9, 1982

NAME Essex Unit N.J.A.R.C.

ADDRESS 44 Maple Ave

TO BE USED AS Group home for the
division of mental retardation

REMARKS

B. Bonenick

BUILDING INSPECTOR

44 Maple Ave
Belleville -

Council on Affordable Housing (COAH)
Alternative Living Arrangement Survey

Municipality: Belleville County: Essex

Sponsor: ARC of Essex Developer: Same

Block: 5201 Lot: 2 Street Address 10 Mt. Pleasant Avenue

Facility Name: Branch brook Community Residence

Type of Facility:

- ☒ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☐ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS))
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs or NJ Dept. of Human Services)
- ☐ Congregate living arrangement
- ☐ Other - Please Specify: _____

Sources of funding committed to the project (check all that apply):

- ☐ Capital funding from State - Amount \$ _____
- ☐ Balanced Housing - Amount \$ _____
- ☐ HUD - Amount \$ _____
- ☐ Federal Home Loan Bank - Amount \$ _____
- ☐ Farmers Home Administration - Amount \$ _____
- ☐ Development fees - Amount \$ _____
- ☐ Bank financing - Amount \$ _____
- ☐ Other - Please specify: _____

☐ Please provide a pro forma for proposed projects

of total bedrooms 3

of low-income residents 2

of moderate-income residents _____

of market residents _____

Residents qualify as low or moderate income?

☒ Yes ☐ No

Length of Controls: _____ years

Effective Date of Controls: ____/____/____

Expiration Date of Controls: ____/____/____

Average Length of Stay: _____ months (transitional facilities only)

☒ CO Date: 4/9/07

Indicate licensing agency:

☒ DDD ☐ DMHS ☐ DHSS ☐ DCA

Initial License Date: 9/4/07

Current License Date: 9/4/07 - 9-4-08

The following verification is attached:

- ☐ Copy of deed restriction (30-year minimum, HUD, FHA, FHLB, BHP deed restriction, etc.)
- ☐ Copy of Capital Application Funding Unit (CAFU) Letter (20-year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☒ Yes ☐ No

Age-restricted? ☒ Yes ☐ No

Population Served (describe): Developmentally Disabled Adults

Accessible (in accordance with NJ Barrier Free Subcode)? ☐ Yes ☒ No

Affirmative Marketing Strategy (check all that apply):

☒ DDD/DMHS/DHSS/DCA waiting list

☐ Other (please specify): _____

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by:

Barbara Calderone
Project Administrator

7/23/08
Date

Certified by:

Municipal Housing Liaison

Date



FRANK DeLORENZO, JR.
CHIEF ADMINISTRATOR
CONSTRUCTION OFFICIAL
ZONING OFFICER

Township of Belleville

152 Washington Avenue
Belleville, New Jersey 07109
(973) 450-3410 • Fax (973) 450-9309

DEPARTMENT
BUILDINGS
PLUMBING
ELECTRICAL
FIRE
ZONING
PLANNING
MAINTENANCE

**CONTINUED CERTIFICATE OF OCCUPANCY
CODE ENFORCEMENT DEPARTMENT
152 WASHINGTON AVENUE
BELLEVILLE, NEW JERSEY 07109**

DATE: APR 9 2007

PROPERTY LOCATION ; 10 MT. PLEASANT AVE.

BLOCK ; 5201 LOT; 2

PROPERTY OWNER: ARC OF ESSEX COUNTY

DESCRIPTION OF PROPERTY (ONE) X (TWO) THREE (MORE)

RE-SALE(XX) FEE PAID \$ 100 \$ \$


CERTIFICATE OF CONTINUED OCCUPANCY

This serves notice that based on a general inspection of the visible parts of the building. There are no Zoning violations and the building is approved for continued occupancy.



Inspected by: NICHOLAS DE ANGELIS

Inspected by: JERRY IMPERATO



Frank De Lorenzo, Jr.
Construction Official/Zoning Officer

cc: Tax Assessor



License Number SA1366

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
SUPERVISED APARTMENT
LICENSE

This is to certify that 10 MOUNT PLEASANT AVENUE

BELLEVILLE, NJ 07109

Operated by **ARC-ESSEX COUNTY**

Having met the requirements of the New Jersey Statute,
P.L. 1977, c. 448,
and the regulations of this Department, is hereby licensed as a

SUPERVISED APARTMENT	to	3	Individuals
(Type of residence)			(number)
from 9/4/2007	effective to	9/30/2008	
(date issued)		(expiration date)	

A handwritten signature in black ink, appearing to read "Jennifer Velez".

Jennifer Velez, Commissioner, Department of Human Services



License Number GH1112

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
GROUP HOME
LICENSE

This is to certify that 44 MAPLE AVENUE

BELLEVILLE, NJ 07109

Operated by ARC-ESSEX COUNTY

Having met the requirements of the New Jersey Statute,
P.L. 1977, c. 448,
and the regulations of this Department, is hereby licensed as a

GROUP HOME
(Type of residence)
for 6 individuals
(date issued) 9/30/2007
effective to 9/30/2008
(expiration date)

Jennifer Velaz, Commissioner, Department of Human Services

Council on Affordable Housing (COAH) Alternative Living Arrangement Survey

Municipality: Belleville County: Essex
 Sponsor: Project Live, Inc. Developer: _____
 Block: 789 Lot: 15 Street Address: 21 Jeraldo Street
 Facility Name: _____

Type of Facility:

- ☐ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☐ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS))
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs or NJ Dept. of Human Services)
- ☐ Congregate living arrangement
- ☒ Other - Please Specify: Supportive Housing

Sources of funding committed to the project (check all that apply):

- ☐ Capital funding from State - Amount \$ _____
- ☐ Balanced Housing - Amount \$ _____
- ☒ HUD - Amount \$ 1,385
- ☒ Federal Home Loan Bank - Amount \$ 20,350
- ☐ Farmers Home Administration - Amount \$ _____
- ☐ Development fees - Amount \$ _____
- ☐ Bank financing - Amount \$ _____
- ☒ Other - Please specify: HOME FUNDS - Essex County
- ☐ Please provide a pro forma for proposed projects

of total bedrooms 3
 # of low-income residents 3
 # of moderate-income residents 0
 # of market residents 0

Residents qualify as low or moderate income?

☒ Yes ☐ No

Length of Controls: 20 years 2003
 Effective Date of Controls: 1/1
 Expiration Date of Controls: 1/1 20 years
 Average Length of Stay: 16 months (transitional facilities only)

☐ CO Date: 1/25/2003

Indicate licensing agency:

☐ DDD ☐ DMHS ☐ DHSS ☐ DCA

Initial License Date: 1/1/11Current License Date: 1/1/11

The following verification is attached:

- ☐ Copy of deed restriction (30-year minimum, HUD, FHA, FHLB, BHP deed restriction, etc.)
- ☐ Copy of Capital Application Funding Unit (CAFU) Letter (20-year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☒ Yes ☐ NoAge-restricted? ☒ Yes ☐ NoPopulation Served (describe): chronically mentally illAccessible (in accordance with NY Barrier Free Subcode)? ☐ Yes ☒ No

Affirmative Marketing Strategy (check all that apply):

☐ DDD/DMHS/DHSS/DCA waiting list☐ Other (please specify): _____CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by:

Sh. Sylvia Porter
Project Administrator8/8/08
Date

Certified by:

Municipal Housing Liaison_____
Date

Council on Affordable Housing (COAH)

Alternative Living Arrangement Survey

Municipality: Belleville County: Essex

Sponsor: Project Live, Inc. Developer: _____

Block: 252 Lot: 16 Street Address: 61 Smith Street

Facility Name: _____

Type of Facility:

- ☐ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☐ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS))
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs or NJ Dept. of Human Services)
- ☐ Congregate living arrangement
- ☒ Other - Please Specify: Supportive Housing

Sources of funding committed to the project (check all that apply):

- ☐ Capital funding from State - Amount \$ _____
- ☐ Balanced Housing - Amount \$ _____
- ☒ HUD - Amount \$ 57,325
- ☒ Federal Home Loan Bank - Amount \$ 20,350
- ☐ Farmers Home Administration - Amount \$ _____
- ☐ Development fees - Amount \$ _____
- ☐ Bank financing - Amount \$ _____
- ☒ Other - Please specify: HOME FUND - Essex County
- ☐ Please provide a pro forma for proposed projects

of total bedrooms 3

of low-income residents 3

of moderate-income residents 0

of market residents 0

Residents qualify as low or moderate income?

☒ Yes ☐ No

Length of Controls: 20 years

Effective Date of Controls: 1/1/

Expiration Date of Controls: 1/1/20 years

Average Length of Stay: 11 months (transitional facilities only)

☐ CO Date: 08/12/98

Indicate licensing agency:

☐ DDD ☐ DMHS ☐ DHSS ☐ DCA

Initial License Date: 1/1/

Current License Date: 1/1/

The following verification is attached:

- ☒ Copy of deed restriction (30-year minimum, HUD, FHA, FHLB, BHP deed restriction, etc.)
- ☐ Copy of Capital Application Funding Unit (CAFU) Letter (20-year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☒ Yes ☐ No

Age-restricted? ☐ Yes ☐ No

Population Served (describe): _____

Accessible (in accordance with NJ Barrier Free Subcode)? ☒ Yes ☐ No

Affirmative Marketing Strategy (check all that apply):☐ DDD/DMHS/DHSS/DCA waiting list☐ Other (please specify): _____**CERTIFICATIONS**

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by:

Sylvia Porter
Project Administrator

Date

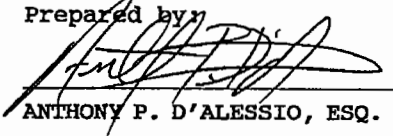
8/8/08

Certified by:

Municipal Housing Liaison

Date

Prepared by


ANTHONY P. D'ALESSIO, ESQ.

DEED

This Deed is made on November , 2001

BETWEEN VINCENZA FARAONE AND JOSEPH RISOLI

whose addresses are: 26 Hill Street, Belleville, NJ
3438 Forest Drive, Hollywood, FL

referred to as the Grantor.

AND PROJECT LIVE, INC.

whose address is 408 Bloomfield Avenue, Newark, NJ

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of One Hundred & Forty-Eight Thousand, Five Hundred (\$148,500) Dollars. The Grantor acknowledges receipt of this money.

Tax Map Reference: (N.J.S.A. 46:15-2.1) Municipality of Belleville Block No. 789 Lot No. 15

Property: The property consists of the land and all buildings and structures on the land in the Township of Belleville, County of Essex and State of New Jersey. The legal description is:

SEE ATTACHED DESCRIPTION

Fee title vested in Joseph P. Risoli and Anna Risoli, his wife, under Deed from Immacolata Marrone and Domenick Marrone, her husband, dated October 29, 1963 and recorded October 31, 1963 in Deed Book 3978, Page 121.

Anna Risoli died August 28, 1984 whereby title vested in Joseph P. Risoli as surviving tenant by the entirety.

Joseph P. Risoli, widower, conveyed his interest to Joseph P. Risoli and Gerard Risoli, single, by Deed dated September 17, 1992 and recorded September 28, 1992 in Deed Book 5229, Page 945.

Joseph P. Risoli died January 31, 1998 leaving a Last Will and Testament filed in the Sussex County Surrogate's Office on March 17, 1998 in Will Book W-96, Page 754, whereby under the terms thereof title vested in his children Joseph Risoli, Gerard Risoli, and Vincenza Faraone, as sole surviving devisees.

Vincenza Faraone qualified as Executrix with Power of Sale.

Gerard Risoli and Angela Risoli, husband and wife, conveyed their interest to Vincenza Faraone, Executrix of the Estate of Joseph P. Risoli, deceased, by Deed dated November 10, 1999 and recorded November 23, 1999 in Deed Book 5658, Page 195.

COMMITMENT
SCHEDULE C
(Description)

Commitment Number: ST-13413M

All that certain lot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Township of Belleville, County of Essex, and State of New Jersey:

BEGINNING at a point in the Southerly line of Jeraldo Street, distant 100 feet Easterly from the Easterly line of Heckel Street, and from thence running;

- (1) Southeasterly along said line of Jeraldo Street 22.50 feet to an angle in the same;
- (2) Still along said line of Jeraldo Street 8.25 feet to a point 250 feet Westerly from North 10th Street; thence
- (3) Southwesterly at right angles to Jeraldo Street 100 feet; thence
- (4) Northwesterly at right angles to the last mentioned course 63.37 feet to a point 100 feet from Heckel Street; thence
- (5) Northeasterly at right angles to Jeraldo Street 111.94 feet to the Southerly line of same, and point and place of BEGINNING.

Policy to insure description being more particularly described in accordance with a survey prepared by EKA Associates, P.A., L.S., dated October 29, 2001 as follows:

BEGINNING at a point in the southwesterly sideline of Jeraldo Street (25 feet wide) distant 100.00 feet southeasterly from the intersection of the same with the southeasterly sideline of Heckel Street (60 feet wide), and running thence

- 1) along the southwesterly sideline of Jeraldo Street, South 43 degrees 40 minutes 30 seconds East 24.21 feet to a point; thence
- 2) still along said sideline, South 60 degrees 40 minutes 00 seconds East 7.50 feet to a point; thence
- 3) leaving said sideline, South 29 degrees 20 minutes 00 seconds West 100.00 feet to a point; thence
- 4) North 60 degrees 40 minutes 00 seconds West 63.37 feet to a point; thence
- 5) North 46 degrees 19 minutes 30 seconds East 111.96 feet to the point and place of BEGINNING.

For Informational Purposes only: ALSO known as Lot 15 in Block 789 in the Township of Belleville Tax Map.

71 Valley Street ^ South Orange, New Jersey ^ 07079 ^ Phone: 973-761-1112 ^ Ext: 973-761-4699

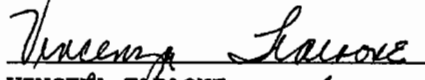
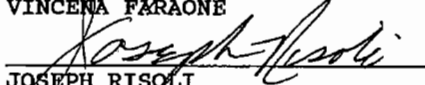
OLD
REPUBLIC
TITLE

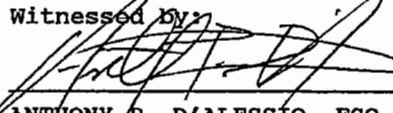
"The grantee hereunder does acknowledge that the cost of acquisition of the property has been satisfied out of part of the proceeds of a certain loan from the County of Essex under the Federal HOME program and that the premises to be constructed shall be subject to the affordability requirements contained in 24 Code of Federal Regulation, Part 92. The provisions thereof may be enforced by the County of Essex by an action for specific performance filed in a Court having jurisdiction. The premises to be constructed shall be subject to the specific provisions for affordability contained in 24 CFR 92.504 for a period of twenty years from the date of completion of the project, (issuance of a certificate of occupancy for the use of the premises)"


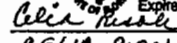
Vincenza Faraone, Executrix of the Estate of Joseph P. Risoli, deceased, conveyed title to Vincenza Faraone and Joseph Risoli, by Deed dated December 6, 1999 and recorded February 2, 2000 in Deed book 5672, Page 483.

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's act" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.


VINCENZA FARAONE

JOSEPH RISOLI

Witnessed by:

ANTHONY P. D'ALESSIO, ESQ.
For Vincenza Faraone

Witnessed by:
 Celia Risoli
My Commission DD058818
Expires September 19, 2005

CELIA RISOLI
For Joseph Risoli

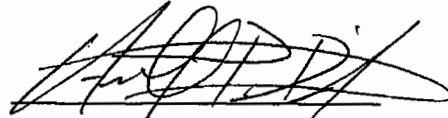
STATE OF NEW JERSEY
:SS
COUNTY OF UNION

I CERTIFY that on ^{APD.} ~~November~~ ^{January 8}, 2002

VINCENZA FARAONE

personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached Deed;
 - (b) executed this Deed as his or her own act; and,
 - (c) made this Deed for \$148,500 as the full and actual consideration paid or to be paid for the transfer of title.
- (Such consideration is defined in N.J.S.A. 46:15-5.)


ANTHONY P. D'ALESSIO, ESQ.
An Attorney-at-Law of the
State of New Jersey

1 — N. J. ACKNOWLEDGEMENT, Individual
Plain Language

GRV T-1

COPYRIGHT © 1982 by ALL-STATE LEGAL SUPPLY CO.
One Commerce Drive, Cranford, N.J. 07016

STATE OF ~~NEW JERSEY~~ ^{FLORIDA}, COUNTY OF ^{BROWARD} SS.:

I CERTIFY that on November 19, 2001

JOSEPH RISOLI

personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed the attached document; and
- (b) signed, sealed and delivered this document as his or her act and deed.



(Print name and title below signature)



Celia Risoli
My Commission DD058818
Expires September 19, 2005

CELIA RISOLI
NOTARY PUBLIC

DEED

DATED: November 2001

Record and return to:

VINCENZA FARAONE AND
JOSEPH RISOLI

Grantor

Jeffrey Kushner, Esq.
180 Glenridge Avenue
Montclair, NJ 07042

TO

PROJECT LIVE, INC.

Grantee

CODEÉ

08/28/2008 11:18 9734503909

C of O # 2002-1068 Block No. 789 Lot No. 15

CODE ENFORCEMENT DEPARTMENT
TOWNSHIP OF BELLEVILLE
CERTIFICATE OF OCCUPANCY

APPROVAL

4/29/03, 19 Address 21 JERALDO STREET /A/K/A 40 JERALDO STREETName PROJECT LIVET/A SAMEUse Group R-3 ONE FAMILY DWELLING RENOVATION WORK

DEED

Prepared by:

John F. Wojtal, Esq.

This Deed is made on October 17, 1998

BETWEEN

ISABEL LONDONO,

referred to as Grantor,

whose post office address is about to be 129 Fairway Avenue, Belleville, New Jersey 07109,

AND

PROJECT LIVE, INC.,

referred to as Grantee,

whose post office address is about to be 61 Smith Street, Belleville, New Jersey 07109.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

TRANSFER OF OWNERSHIP. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of ONE HUNDRED THIRTY FIVE THOUSAND DOLLARS AND NO CENTS (\$135,000.00).

The Grantor acknowledges receipt of this money.

TAX MAP REFERENCE. (N.J.S.A. 46:15-1.1) Municipality of Belleville
Block No. 252 Lot No. 16

PROPERTY. The Property consists of the land and all the buildings and structures on the land in the Township of Belleville, County of Essex and State of New Jersey.

Description of the property as follows:

See Attached Legal Description

"The grantee hereunder does acknowledge that the cost of acquisition of the property has been satisfied out of part of the proceeds of a certain loan from the County of Essex under the Federal HOME Program and that the premises to be constructed shall be subject to the affordability requirements contained in 24 Code of Federal Regulation, Part 92. The provisions thereof may be enforced by the County of Essex by an action for specific performance filed in a Court having jurisdiction. The premises to be constructed shall be subject to the specific provisions for affordability contained in 24 CFR 92.504 for a period of twenty years from the date of completion of the project, (issuance of a certificate of occupancy for the use of the premises)."

Being the same premises conveyed to grantor herein by Deed from Emanuel August and Giovanna August (a/k/a Joann August) dated March 15, 1996 and recorded March 21, 1996 in Deed Book 5409, Page 571 of the Office of the Essex County Register's Office.

COUNTY OF ESSEX
CONSIDERATION 139,000
REALTY TRANSFER FEE 472.00
DATE 10-17-98
BY [Signature]

RECEIVED
REGISTER'S OFFICE
ESSEX COUNTY N.J.
1998 DEC 17 A 9:55
[Signature]

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

TITLE INSURANCE COMMITMENT

COMMITMENT NO.: MST-9610

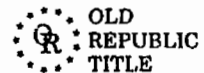
SCHEDULE C

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Township of Belleville, County of Essex, State of New Jersey:

BEGINNING at a point in the northwesterly line of Smith Street (40 feet wide) distant 252.50 feet northeasterly along the same from its intersection with the northeasterly line of William Street (50 feet wide), and from said point of beginning running thence

- 1) North 31 degrees 32 minutes East along the said northwesterly line of Smith Street, a distance of 28.50 feet to a point; thence
- 2) North 57 degrees 56 minutes West a distance of 100.00 feet to a point; thence
- 3) South 31 degrees 32 minutes West parallel with the second course, a distance of 28.50 feet to a point; thence
- 4) South 57 degrees 56 minutes East parallel with the second course, a distance of 100.00 feet to the point and place of BEGINNING.

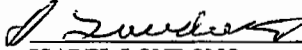
For informational purposes only, the above described premises are further known and designated as Tax Lot 16 in Block 252, as shown on the current tax map of the Township of Belleville.

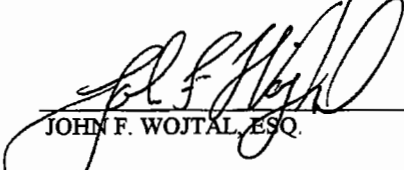


PROMISES BY THE GRANTOR. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "Covenant as to grantor's acts" (N.J.S.A. 45:4-6.) This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as making a mortgage or allowing a judgment to be entered against the Grantor.)

SIGNATURES. The Grantor signs this Deed as to the date on the top of the first page.

Witnessed by:


ISABEL LONDONO


JOHN F. WOJTAL, ESQ.

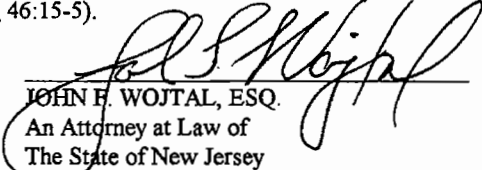
STATE OF NEW JERSEY, COUNTY OF ESSEX SS.:

I certify that on October /3, 1998

ISABEL LONDONO

personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached deed;
- (b) executed this deed as his or her own act; and
- (c) made this Deed for \$135,000.00 as full and actual consideration paid or to be made for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5).


JOHN F. WOJTAL, ESQ.
An Attorney at Law of
The State of New Jersey

DEED

ISABEL LONDONO

Grantor,

TO

PROJECT LIVE, INC.,

Grantee.

Record and Return to:
Jeffrey R. Kushner, Esq.
180 Glenridge Avenue
Montclair, New Jersey 07042

ORDINANCE NO.: _____
DRAFT
DEVELOPMENT FEE ORDINANCE
OF THE
TOWNSHIP OF BELLEVILLE

1. Purpose

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.
- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. Basic requirements

- a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*.
- b) Township of Belleville shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3*.

3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:

- i. **“Affordable housing development”** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
- ii. **“COAH”** or the **“Council”** means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
- iii. **“Development fee”** means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.
- iv. **“Developer”** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- v. **“Equalized assessed value”** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
- vi. **“Green building strategies”** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

4. Residential Development fees

- a) Imposed fees
 - i. Within all the Township of Belleville district(s) except the B-G, B-B and B-C zones, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5 percent of the equalized assessed value for residential development provided no increased density is permitted.
 - ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers may be required to pay a development fee of 6 percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

- b) Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
 - iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
 - iv. Developers of residential structures demolished and replaced as a result of a natural disaster shall be exempt from paying a development fee.

5. Non-residential Development fees

- a) Imposed fees
 - i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
 - ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

- iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- b) Eligible exactions, ineligible exactions and exemptions for non-residential development.
- i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
 - ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
 - iii. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
 - iv. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Township of Belleville as a lien against the real property of the owner.

6. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should Township of Belleville fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).

- h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Township of Belleville. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Township of Belleville. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. Affordable Housing trust fund

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Township Clerk for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - 1. payments in lieu of on-site construction of affordable units;
 - 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
 - 3. rental income from municipally operated units;
 - 4. repayments from affordable housing program loans;
 - 5. recapture funds;

6. proceeds from the sale of affordable units; and
 7. any other funds collected in connection with Township of Belleville's affordable housing program.
- b) Within seven days from the opening of the trust fund account, Township of Belleville shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).
 - c) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8. Use of funds

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Township of Belleville's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.
- b) Funds shall not be expended to reimburse Township of Belleville for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.

- ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The use of development fees in this manner shall entitle Township of Belleville to bonus credits pursuant to N.J.A.C. 5:97-3.7.
- iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Township of Belleville may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. Monitoring

- a) Township of Belleville shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Township of Belleville housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

- a) The ability for Township of Belleville to impose, collect and expend development fees shall expire with its substantive certification unless Township of Belleville has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If Township of Belleville fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). Township of Belleville shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall Township of Belleville retroactively impose a development fee on such a development. Township of Belleville shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

ORDINANCE NO.: _____
DRAFT
AFFORDABLE HOUSING ORDINANCE & AFFIRMATIVE MARKETING PLAN
OF THE
TOWNSHIP OF BELLEVILLE

ARTICLE ____ Affordable Housing

§ _____. Intent and purpose.

It is the intent and purpose of this article to implement the Housing Plan Element and Fair Share Plan of the Township of Belleville in accordance with affordable housing regulations established and, from time to time, amended by the New Jersey Council on Affordable Housing in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301 to -329, and New Jersey Council on Affordable Housing Procedural and Substantive Regulations contained in N.J.A.C. 5:91 through 5:97 et seq., and to provide a realistic opportunity for the construction of affordable housing for households with low and moderate incomes as required by the New Jersey Supreme Court in Southern Burlington County N.A.A.C.P. v. Township of Mount Laurel, 92 N.J. 158 (1983) (Mount Laurel II) and the Fair Housing Act.

§ _____. Definitions.

The following words and terms, when used in this section, shall have the meanings established in N.J.A.C. 5:97-1.4, Definitions, unless the context clearly indicates otherwise.

AFFORDABLE — A sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:97-9.

COAH — The New Jersey Council on Affordable Housing.

DEVELOPMENT FEES — Money paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted in N.J.A.C. 5:97-8.3.

HOUSING REGION — Region 2 consisting of Essex, Morris, Union and Warren Counties in accordance with N.J.A.C. 5:97.

LOW-INCOME HOUSING — Housing affordable according to Federal Department of Housing and Urban Development or the standards included in this article for home ownership and rental costs, occupied or reserved for occupancy by households with a gross household income equal to 50% or less of the median gross household income for households of the same size within the housing region in which the housing is located, and which is subject to COAH affordability controls and this article.

MODERATE-INCOME HOUSING — Housing affordable according to Federal Department of Housing and Urban Development or the standards included in this chapter for home ownership

and rental costs, occupied or reserved for occupancy by households with a gross household income in excess of 50% but less than 80% of the median gross household income for households of the same size within the housing region in which the housing is located, and which is subject to COAH affordability controls and this article.

OWNER — The current title holder of record of a low- or moderate-income unit. This definition shall refer to and mean the title if record is the same as reflected in the most recently dated and recorded deed of the particular low- or moderate-income unit. Where appropriate, the term "owner" shall also mean and refer to a person who owns a low- or moderate-income unit as a landlord.

RENTAL UNITS — Units specifically built at the time of construction for the sole purpose of being occupied by tenants and not owners of affordable housing units.

SENIOR CITIZEN — A person who is 62 years of age or older.

§ _____. Affordable housing requirements.

A. Designation of administrative authority. For the purposes of administering these affordable housing provisions, the Township Administrator, or designated administrative agency (e.g., NJDCA Affordable Housing Management Services), shall be the responsible agent of the Township for the purpose of monitoring the occupancy, resale and rental restrictions of low- and moderate-income housing units and shall be referred to as the authority. The authority will be the power to take enforcement action, as authorized by § _____ of this article, against any owner or tenant of an affordable housing unit for violation of this article, the Affordable Housing Plan or the COAH deed restrictions.

B. Affordable housing regulations for development approvals. All residential development approvals shall provide for affordable housing opportunities, and requirements shall apply to approvals granted by the Planning Board or Zoning Board of Adjustment as follows:

- (1) All approvals in inclusionary zones (B-B, B-C, B-G zones) shall provide for the required mandatory inclusionary development of actual construction or payment in lieu of construction in accordance with the ordinances of the Township of Belleville.
- (2) All approvals of use variances, site plans, or subdivisions, including extensions and substantial revisions, shall be made subject to mandatory provision of affordable housing. A substantial revision to a development approval shall, for the purposes of these affordable housing regulations, be any revision which requires the developer to secure an amendment to its approval.
- (3) All final approvals not providing inclusionary units shall provide for the payment in lieu of fee.

§ _____. Requirements for affordable housing units.

Any affordable units constructed in the Township shall be divided equally between low- and moderate-income households as per N.J.A.C. 5:97-3.3. Furthermore, except for inclusionary developments constructed pursuant to low-income tax credit regulations, developments which include affordable housing units shall be subject to the following provisions:

A. Low- and moderate-income housing requirements.

- (1) At least 1/2 (50%) of all affordable units within each inclusionary development shall be affordable to low-income households; and
- (2) At least 1/2 (50%) of all affordable rental units shall be affordable to low-income households; and
- (3) At least 1/3 of all affordable units in each bedroom distribution shall be affordable to low-income households.

B. Affordability requirements for low- and moderate-income housing units.

- (1) Low-income housing. Low-income sales and rental housing shall be affordable, according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs, and occupied or reserved for occupancy by households with gross household income equal to 50% or less of the median gross household income for households of the same size within the housing region in which the housing is located, and subject to affordability controls.
- (2) Moderate-income housing. Moderate-income sales and rental housing shall be affordable, according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs, and occupied or reserved for occupancy by households with a gross household income in excess of 50% but 80% or less of the median gross household income for households of the same size within the housing region in which the housing is located, and subject to affordability controls.

C. Age restriction. The sales and rentals of not more than 25% of the affordable housing units constructed within the Township may be age-restricted to senior citizens, as defined by and in accordance with the Federal Fair Housing Act and N.J.A.C. 5:97-1.4 and as regulated by N.J.A.C. 5:97-3.8. A request to age-restrict housing units may only be granted after the Planning Board has received the consent of the Township Committee. In designing an age-restricted affordable housing project, the applicant may propose constructing the senior citizen restricted affordable units in the same building or buildings in order to maximize the potential of preserving a more tranquil lifestyle for the senior citizen residents; and to the foregoing extent, the requirement of integration of the affordable units with conventional units is modified.

D. Bedroom distribution.

- (1) Inclusionary developments that are not age-restricted shall be structured in conjunction with realistic market demands so that:
 - (a) The combination of efficiency and one-bedroom units is at least 10% and no greater than 20% of the total low- and moderate-income units.
 - (b) At least 30% of all low- and moderate-income units are two-bedroom units.
 - (c) At least 20% of all low- and moderate-income units are three-bedroom units.
 - (d) At least 1/3 of all units in each bedroom distribution shall be affordable to low-income households.
- (2) In the event the rules of the Council on Affordable Housing shall provide for a bedroom mix different than the foregoing, the requirements of COAH shall control and the foregoing shall be deemed modified for all projects which have not received final site plan or subdivision approval.
- (3) Age-restricted low- and moderate-income units may utilize a modified bedroom distribution. At a minimum, the number of bedrooms may equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard can be met by creating all one-bedroom units or by creating a two-bedroom unit for each efficiency unit. Applications to waive this standard shall be made in accordance with N.J.A.C. 5:96-15, Waivers.

E. Location and design. Low- and moderate-income inclusionary housing shall be designed in accordance with the following provisions:

- (1) The low- and moderate-income housing units shall be sited on the tract in locations at least as accessible to common open space and community facilities as market-priced dwelling units. Rental units may be concentrated for ownership and management reasons.
- (2) The exterior design of the low- and moderate-income housing units shall be harmonious in scale, texture, and materials with the market-priced units on the tract.

F. Deed restrictions. Developers of housing units for low- and moderate-income households shall enter into a written agreement, binding on all successors-in-interest, in accordance with

N.J.A.C. 5:80-26.5 to -26.10, at the time of sale, resale, rental or re-rental regardless of the availability of Federal, State, County or Township subsidy programs.

G. Heating requirements. Low- and moderate-income units shall utilize the same heating source as market units within inclusionary developments.

§ _____. **Certificates of occupancy.**

Certificates of occupancy for developments which include affordable housing units shall be subject to the following additional provisions.

A. Phasing of affordable units. Affordable housing units shall be built, occupied and receive certificates of occupancy in accordance with the following schedule:

Percentage of Low- and Moderate-Income Units Completed	Percentage of Market Housing Units Completed
0	25
10	25 + 1 unit
50	50
75	75
100	85

B. No initial occupancy of a low- or moderate-income housing sales unit shall be permitted prior to issuance of a certificate of occupancy, and no certificate of occupancy for initial occupancy of a low- or moderate-income housing sales unit shall issue unless there is a written determination by the authority that the unit is to be controlled by a deed restriction and mortgage lien as adopted by COAH.

C. A certificate of reoccupancy for any occupancy of a low- or moderate-income housing sales unit resulting from a resale shall be required, and the Township shall not issue such certificate unless there is a written determination by the authority that the unit is to be controlled by the deed restriction and mortgage lien required by the COAH.

D. The certificate of reoccupancy shall not be required where there is a written determination by the authority that controls are allowed to expire or in that the repayment option is being exercised pursuant to N.J.A.C. 5:97-9.

§ _____. **Resale/re-rental controls.**

A developer of an affordable inclusionary housing development shall incorporate deed restrictions on all dwelling units sold or rented as units affordable to low- and moderate-income households pursuant to N.J.A.C. 5:97-4.3, Council on Affordable Housing Substantive Rules. Affordability controls shall remain in force for 30 years in accordance with N.J.A.C. 5:97-4.3(b), shall run with the land and shall place limitations upon the resale/re-rental of affordable units in accordance with N.J.A.C. 5:80-26.1 et. seq., and by means of any deed restrictions and/or lien documents promulgated by the Council on Affordable Housing.

A. Documentation. All owners and tenants of affordable units within the Township of Belleville shall provide documentation to the authority on a yearly basis commencing one year after the date of purchase or rental of the affordable unit that the following payments on the unit, as applicable, are current: first-purchase money mortgages, municipal property taxes, public utilities, condominium, homeowners' or cooperative association fees and all rent payments. Owners and tenants of affordable units who fail to provide said documentation within 60 days of their yearly purchase or rental anniversary date shall be subject to the fines specified in § _____ of this article.

B. Foreclosure. In the event of a foreclosure on an affordable unit, the enforcement of a lien against an affordable unit or in the event that any of the following payments, as applicable, are not current, owners and tenants of affordable units within the Township of Belleville shall immediately notify the authority: first-purchase money mortgages, municipal property taxes, public utilities, condominium, homeowners' or cooperative association fees and all rent payments.

C. Exempt sales. Sales exempted from resale/re-rental controls shall include the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a Class A beneficiary; and the transfer of ownership by court order.

D. Deed restrictions, notice of sale. All deed restrictions governing low- and moderate-income housing units shall require the owner to notify the authority and COAH by certified mail of any intent to sell the unit at least 90 days prior to entering into an agreement for the first nonexempt sale after controls have been in effect on the housing unit for the period specified in N.J.A.C. 5:97-6.14.

E. Deed restrictions, sales options. The deed restrictions governing the deeds of low- and moderate-income housing units shall include an option permitting purchase of the affordable housing unit at the maximum allowable restricted sales price at the time of the first nonexempt sale after controls on affordability have been in effect on the unit for the period specified in N.J.A.C. 5:97-9. The option to buy shall be first available to Township of Belleville, then the

New Jersey Department of Community Affairs, Housing and Mortgage Finance Agency, or a qualified nonprofit agency as determined by COAH.

F. Options. Rights shall be held and exercised in accordance with the following provisions:

- (1) Upon receipt of notice, the option to buy the unit at the maximum allowable restricted sales price shall be available for 90 days. The authority shall first notify Township of Belleville, then the New Jersey Department of Community Affairs, Housing and Mortgage Finance Agency, and COAH that the unit is for sale. If Township of Belleville exercises this option, it may enter into a contract of sale. If Township of Belleville fails to exercise this option within 90 days, the first of the other entities giving notice to the seller of its intent to purchase during the ninety-day period shall be entitled to purchase the unit. If the option to purchase the unit at the maximum allowable restricted sales price is not exercised by a written offer to purchase the housing unit within 90 days of receipt of the intent to sell, the owner may proceed to sell the housing unit (pursuant to N.J.A.C. 5:97-9 and N.J.A.C. 5:97-6.14). If the owner does not sell the unit within one year of the date of the delivery of notice of intent to sell, the option to buy the unit shall be restored and the owner shall be required to submit a new notice of intent to sell at least 90 days prior to any future proposed date of sale.
- (2) Any option to buy a housing unit at the maximum allowable restricted sales price shall be exercised by certified mail and shall be deemed exercised upon mailing.
- (3) An eligible seller of a low- or moderate-income unit which has been controlled for the period established in N.J.A.C. 5:97-9, and who has provided notice of an intent to sell may proceed with the sale if no eligible entity as outlined in N.J.A.C. 5:80-26.1 et seq. exercises its option to purchase within 90 days. Subject to N.J.A.C. 5:8—26.1 et seq, the seller may elect the affordable resale option or the repayment option.
 - (a) Affordable resale option. The seller may sell to a qualified low- and moderate-income household at the maximum allowable restricted sales price in accordance with existing COAH regulations, provided that the unit is regulated by the deed restriction and lien adopted by COAH for a period of up to 30 years.
 - (b) Repayment option. Provided that the municipality has not suspended the repayment option, the seller may sell to any purchaser at market price, provided that 95% of the price differential is paid to the authority, as an instrument of Township of Belleville, at closing. Such sale shall be approved by the authority.
- (4) Municipal option. Township of Belleville may elect to purchase a low- or moderate-income unit provided for in N.J.A.C. 5:80-26.1 et. seq., and may:

- (a) Convey or rent the housing unit to a low- or moderate-income household purchaser or tenant at a price or rent not to exceed the maximum allowable restricted sales price or rental, provided that the unit is controlled by a deed restriction or an alternative approved by COAH; or
 - (b) Convey the unit at fair market value subject to the provisions of the following subsection.
 - (c) Upon purchase, Township of Belleville may maintain the unit as an affordable housing unit or convey it at fair market value in accordance with the following:
 - [1] Notify COAH of any proposed sale and sales price 90 days before closing;
 - [2] Notify COAH of the price differential as defined in COAH regulations;
 - [3] Deposit the price differential in the Township of Belleville Affordable Housing Trust Fund; and
- (5) State option. When the Department of Community Affairs or Housing and Mortgage Finance Agency elects to purchase a low- or moderate-income unit pursuant to N.J.A.C. 5:80-26.1 et. seq., it may:
- (a) Convey or rent the housing unit to a low- or moderate-income household purchaser or tenant at a price or rent not to exceed the allowable restricted sales price or rental; or
 - (b) Convey the unit at fair market value and utilize the price differential to subsidize the construction, rehabilitation or maintenance of low- and moderate-income housing within the housing region.
- (6) Nonprofit option. Nonprofit agencies may apply to COAH at any time for the right to purchase low- or moderate-income housing units subsequent to the period of controls on affordability, provided that the unit remains controlled by a deed restriction or an alternative approved by COAH. Nonprofit agencies that have been designated by COAH shall be eligible to purchase low- or moderate-income housing units pursuant to N.J.A.C. 5:8—26.1 et. seq. for the sole purpose of conveying or renting the housing unit to a low- or moderate-income household purchaser or tenant at a price or rent not to exceed the allowable restricted sales price or rental. Low-income housing units shall be made available to low-income household purchasers or tenants and the housing unit shall be regulated by the deed restriction and lien adopted by COAH. The terms and length of the controls on affordability shall be the same as those required by N.J.A.C. 5:97-4.3.

G. Nonexempt sales or rentals. Owners of affordable units intending to sell or rent their units prior to the expiration of deed restrictions shall comply with the following procedure:

- (1) Prior to reselling or renting a low- or moderate-income unit, the owner of an affordable housing unit shall provide written proof to the authority that the resale or rental has been approved by the authority.
- (2) Unless otherwise exempt pursuant to this article, the owner of an affordable housing unit shall only resell or rent a low- or moderate-income unit to a qualified purchaser or tenant as determined by the authority or the authorized state agency.
- (3) Unless otherwise exempt pursuant to this article, the owner of an affordable housing unit shall be responsible for guaranteeing that the necessary documents are executed and filed at the closing of title or rental of a low- or moderate-income unit to assure that the unit remains affordable to and occupied by low- or moderate-income households. Copies of all such documents shall also be provided to the authority no later than 60 days after the date of closing.
- (4) An owner of an affordable housing unit shall not permit the occupation of its unit in violation of the COAH regulations, this article or the Township's Affordable Housing Plan.

§ _____. Administration.

The affordable housing regulations shall be administered in accordance with the following provisions:

A. Determination of maximum affordable sales prices/rents. The affordability of a low- or moderate-income unit shall be a function of the rent or sales price which shall be established so as to ensure that occupants do not pay a sum for shelter costs greater than approximately 30% of gross annual income for rental units or approximately 28% of gross annual income for sales units in accordance with Council on Affordable Housing regulations as follows:

- (1) Shelter costs for rental units shall include gross rent, including an allowance for utilities so as not to exceed 30% of the gross monthly income of the appropriate household size referenced in Subsection A(4) below. Those tenant-paid utilities that are included in the utility allowance shall be so stated in the lease. The allowance for utilities shall be consistent with the utility allowance approved by the U.S. Department of Housing and Urban Development for use in New Jersey.
- (2) Shelter costs for sales units shall include principal, interest, taxes, condominium fees and insurance.
- (3) Sales costs of a unit shall be based on a down payment of 5%.
- (4) The initial price of a low- and moderate-income owner occupied single-family housing unit shall be established so that after a down payment of 5% (based on a

mortgage loan equal to 95% of the purchase price and a market rate of interest), the monthly principal, interest, homeowner and private mortgage insurances, property taxes (property taxes shall be based on the restricted value of low- and moderate-income units) and condominium or homeowner fees do not exceed 28% of the eligible gross monthly income. Master deeds of inclusionary developments shall regulate condominium or homeowner association fees or special assessments of low- and moderate-income purchasers at a specific percentage of those paid by market purchasers. The percentage that shall be paid by low- and moderate-income purchasers shall be at least 1/3 of the condominium or homeowner association fees paid by market purchasers. Once established within the master deed, the percentage shall not be amended without prior approval from COAH.

(5) Rental and sales costs shall be fixed for a unit depending on bedroom number calculated on the following basis as to household size:

- (a) Efficiency units shall be affordable to one-person households.
- (b) One-bedroom units shall be affordable to one-and-one-half-person households.
- (c) Two-bedroom units shall be affordable to three-person households.
- (d) Three-bedroom units shall be affordable to four-and-one-half-person households.

(6) In the case of owner-occupied housing rehabilitation assistance, affordability shall be based on unit occupancy by a low- or moderate-income household.

B. Median income by household size.

- (1) The maximum average rent and sales prices of low- and moderate-income housing units within each inclusionary development shall be affordable to households earning 52.1% of median income.
- (2) Median income by household size will be established by a regional weighted average of the uncapped Section 8 income limits published by the U.S. Department of Housing and Urban Development in accordance with N.J.A.C. 5:97-9.2. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the households within the county. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households in each housing region. This quotient represents the regional weighted average of median income for a household of four. This regional weighted average is adjusted by household size based on multipliers used by HUD to adjust median income by household size. The maximum average rent and price of low- and moderate-income units within each inclusionary development shall be affordable to households earning

52.1% of median income. The municipal ordinance shall require moderate-income sales units to be available for at least two different prices and low-income sales units to be available for at least two different prices.

- (3) In averaging 52.1% under Subsection B(2) above, developers and/or municipal sponsors of rental units may establish one rent for a low-income unit and one rent for a moderate-income unit for each bedroom distribution.
- (4) Determination of sales values. Values of sales units shall be determined in accordance with the following provisions:
 - (a) Fair market value. Fair market value shall be established on the basis of the unrestricted price of a low- or moderate-income housing unit if sold at a current real estate market rate.
 - (b) Maximum allowable restricted sales price. The maximum allowable restricted sales price shall be determined in accordance with COAH regulations at the date of a proposed contract of sale.
 - (c) Price differential. Price differential shall be established as the difference between the maximum allowable restricted sales price and the fair market value, as determined at the date of a proposed contract of sale, after deducting reasonable real estate broker fees.
- (5) Assisted living residences as defined in N.J.A.C. 5:97-1.4, Definitions, shall conform to requirements contained in N.J.A.C. 5:97-6.11, Assisted Living Residence. Assisted living residences shall enter into an agreement with Township of Belleville and Township of Belleville shall enter into an agreement with the New Jersey Department of Community Affairs Housing Mortgage Finance Agency to administer and monitor the low- and moderate-income apartments in an assisted living residence.

C. Annual indexed increases while controls are in place; sales and rentals.

- (1) The price of an owner-occupied housing unit may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the authority be lower than the last recorded purchase price.
- (2) With the exception of rentals constructed pursuant to low-income tax credit regulations, the rent of a low- or moderate-income housing unit may be increased if such increase is consistent with then regional income limits most recently published by COAH, calculated pursuant to N.J.A.C. 5:94-7.2(b), and has been filed with the administrative agent. If the landlord has charged a tenant less than the initial maximum allowable rent for a restricted unit, the landlord may, with the approval of the administrative agent, use the maximum allowable rent instead of

the current rent in performing this multiplication to establish the rent for the next tenant under a new lease.

D. Procedures for initial sales, resale prior to the expiration of controls, and rentals.

- (1) Low- and moderate-income sales units shall not be offered to non-income eligible households at initial sale without COAH approval. Parties that petition COAH for such approval shall document efforts to sell housing units to income eligible households and shall adhere to the procedures outlined in N.J.A.C. 5:96-13, Motions.
- (2) Persons wishing to sell affordable units shall notify the authority responsible for assuring affordability of the intent to sell. If no eligible buyer enters a contract of sale for the unit within 90 days of notification, the authority shall have the option to purchase the unit for a negotiated price that shall not exceed the maximum price permitted based on the regional increase in the median income as defined by the U.S. Department of Housing and Urban Development or other recognized standard adopted by COAH. If the authority does not purchase the unit, the seller may apply for permission to offer the unit to a non-income-eligible household at the maximum price permitted. The seller shall document efforts to sell the unit to an income-eligible household as part of this application. In reviewing the request, the authority shall consider the specific reasons for any delay in selling the housing unit and the hardship to the seller in continuing to offer the affordable unit to an income-eligible applicant. The inability to sell a unit for the maximum permitted resale price shall not, in itself, be considered an appropriate reason for allowing a housing unit to be sold to a non-income-eligible household. If the request is granted the seller may offer a low-income housing unit to a moderate-income household and a moderate-income housing unit to a household earning in excess of 80% of median. In no case shall the seller be permitted to receive more than the maximum price permitted. In no case shall a sale pursuant to this section eliminate the resale controls on the unit or permit any subsequent seller to convey the unit except in full compliance with the terms of this section.
- (3) Owners of low- and moderate-income rental units shall not offer rental units to non-income-eligible households without prior approval of COAH. Parties that petition for such approval shall document all efforts to rent to income-eligible households and demonstrate to the satisfaction of COAH that alternatives, such as a reduction in rent, are not feasible. Parties that petition COAH shall adhere to the procedures outlined in N.J.A.C. 5:96-13, Motions.

E. Approval required to exercise repayment option. If the sale will be to a qualified low- and moderate-income household, the authority shall certify the income qualifications of the purchaser and shall ensure the housing unit is regulated by the restrictive covenant and lien required by COAH.

- (1) The authority shall examine any contract of sale containing a repayment option to determine if the proposed sales price bears a reasonable relationship to the housing unit's fair market value. In making this determination, the authority may rely on comparable sales data or an appraisal. The authority shall not approve any contract of sale where there is a determination that the sales price does not bear a reasonable relationship to fair market value. The authority shall make a determination within 20 days of receipt of the contract of sale and shall calculate the repayment option payment.
- (2) The authority shall adopt an appeal procedure by which a seller may submit written documentation requesting the authority to:
 - (a) Recompute the repayment obligation if the seller believes an error has been made; or
 - (b) Reconsider a determination that a sales price does not bear a reasonable relationship to fair market value. A repayment obligation determination made as a result of an owner's appeal shall be a final administrative determination of the authority.
- (3) The repayment shall occur at the date of closing and transfer of title for the first nonexempt transaction after the expiration of controls on affordability.
- (4) Repayment proceeds shall be deposited in the Township of Belleville Affordable Housing Trust Fund. Money deposited in the Township of Belleville Affordable Housing Trust Fund trust account from such sale may not be expended until Township of Belleville submits and COAH approves a spending plan. COAH may approve the spending plan if it determines that it provides a realistic opportunity for the creation, rehabilitation or maintenance of low- and moderate-income housing.

F. Township rejection of repayment option. Township of Belleville shall have the right to determine that the most desirable means of promoting an adequate supply of low- and moderate-income housing is to prohibit the exercise of the repayment option and maintain controls on lower income housing units sold within the Township beyond the period required by N.J.A.C. 5:97-4.3. Such determination shall be made by resolution of the Township Committee and shall be effective upon filing with COAH and the authority. The resolution shall specify the time period for which the repayment option shall not be applicable. During such period, no seller in Township of Belleville may utilize the repayment option permitted by N.J.A.C. 5:97-6.14. If the Township exercises the rejection of repayment option outlined above, it shall:

- (1) Provide public notice in a newspaper of general circulation; and
- (2) Notify the authority and COAH of the Township Committee's action. The authority shall ensure that the deed restriction on all affected housing units reflects the extended period of controls.

G. Continued application of options to create, rehabilitate or maintain low- and moderate-income housing units. When a housing unit has been maintained as a low- or moderate-income unit after controls have been in effect for the period specified in N.J.A.C. 5:97-4.3, the deed restriction governing the housing units shall allow the Township, the state, nonprofit agencies and sellers of low- and moderate-income housing units to again exercise all of the same options as provided in this article.

H. Affirmative marketing plan. Township of Belleville shall provide for the marketing of all low- and moderate-income housing units developed pursuant to the provisions Affirmative Marketing Plan.

I. General provisions concerning new construction of sales units. In developing its Housing Plan Element, COAH requires that Township of Belleville shall adopt measures to assure that low- and moderate-income housing units remain affordable to low- and moderate-income households for a period of not less than 30 years. The authority shall do so by requiring all conveyances of low- and moderate-income housing units subject to this section to contain the restrictive covenant and mortgage lien adopted by COAH.

J. General provisions concerning enforcement through certificates of occupancy or re-occupancy of sales units.

- (1) The authority shall issue written determinations for the purpose of issuing certificates of occupancy for initial occupancy or certificates of re-occupancy for low- and moderate-income housing sales units where the authority finds that the unit is to be controlled by a deed restriction and mortgage lien as adopted by COAH. The authority shall make such determination within 10 days of receipt of a proposed deed restriction and mortgage lien. Amendments to the deed restriction and lien shall be permitted only if they have been approved by COAH. A request for an amendment to the deed restriction and lien may be made by the authority, the Township or a developer.
- (2) The authority shall not permit the initial occupancy of a low- or moderate-income sales unit prior to issuance of certificate of occupancy in accordance with Subsection J(1) above.
- (3) The authority shall issue written determinations for the purpose of issuing certificates of re-occupancy for low- or moderate-income housing sales units where the authority finds that the unit is to be controlled by a deed restriction and mortgage lien as adopted by COAH. Purchasers of low- and moderate-income housing sales units shall execute the deed restriction and mortgage lien prior to issuance of a certificate of occupancy regardless of whether the sellers had executed the deed restriction and mortgage lien adopted by COAH upon acquisition of the property. The authority shall make such determination within 10 days of receipt of a proposed deed restriction and mortgage lien.

- (4) The authority shall issue written determinations for the purpose of issuing certificates of re-occupancy for low- and moderate-income housing sales units where the authority finds that the unit is to be sold and controls are allowed to expire or in which the repayment option is being exercised pursuant to N.J.A.C. 5:97-6.14.
- (5) The mortgage lien and the deed restriction shall be filed with the Clerk of Essex County. The lien and deed restriction shall be adopted by COAH unless amendments have been approved by COAH.
- (6) The deed restriction, including the repayment clause, and the mortgage lien shall have priority over all mortgages on the property except for a first mortgage placed on the property by the mortgagee prior to the expiration of resale controls.

K. Eligible capital improvements prior to the expiration of controls; sales units.

- (1) Property owners of single-family owner-occupied housing may apply to the authority for permission to increase the maximum price for eligible capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household. In no event shall the maximum price of an improved housing unit exceed the limits of affordability for the larger household. Property owners shall apply to the authority if an increase in the maximum sales price is sought.
- (2) At resale, all items of property which are permanently affixed to the units and/or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall to wall carpeting) shall be included in the maximum allowable resale price. Other items of property may be sold to the purchaser at a reasonable price that has been approved by the authority at the time of signing the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale, provided that the price has been approved by the authority. Unless otherwise permitted by the Council, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at resale.

L. Subsidy to ensure affordability prior to the expiration of controls, sales units. If the use of median income data adopted by the Council to index the cost of housing renders a unit unaffordable to a low- or moderate-income household at the time of resale, a municipality shall not lose credit for the housing unit, provided that adequate controls on affordability remain in place, but the municipality may subsidize the housing unit to maintain affordability.

M. Impact of foreclosure on resale while controls are in place; sales units. A judgment of foreclosure or a deed in lieu of foreclosure to a financial institution regulated by state and/or federal law or to a lender on the secondary mortgage market (including, but not limited to, the Federal National Mortgage Association, the Home Loan Mortgage Corporation, the Government National Mortgage Association or an entity acting on their behalf) shall extinguish controls on affordable housing units provided there is compliance with UHAC regulations, N.J.A.C. 5:80-26.1 et. seq. Notice of foreclosure shall allow the authority, the municipality, the Department of Community Affairs, the agency or a nonprofit entity to purchase the affordable housing unit at a negotiated price not to exceed the maximum permitted sales price and maintain it as an affordable unit for the balance of the intended period of controls. Failure to purchase the affordable housing unit shall result in COAH adding that unit to the municipal present and prospective fair share obligation. Failure of the financial institution to provide notice of a foreclosure action to the authority shall not impair any of the financial institution's rights to recoup loan proceeds, shall not negate the extinguishment of controls or the validity of the foreclosure; and shall create no cause of action against the financial institution.

N. Excess proceeds upon foreclosures; sales units. In the event of a foreclosure sale, the owner of the affordable housing unit shall be personally obligated to pay to the Authority responsible for assuring affordability, any surplus funds, but only to the extent that such surplus funds exceed the difference between the sales price at the time of foreclosure and the amount necessary to redeem the debt to the financial institution including costs of foreclosure.

O. Length of controls for rehabilitated, conversion and accessory apartment housing units.

- (1) Rehabilitated owner-occupied single-family housing units that are improved to code standard will be subject to affordability controls for at least 10 years.
- (2) Rehabilitated renter-occupied housing units that are improved to code standard shall be subject to affordability controls for at least 10 years.
- (3) Newly constructed low- and moderate-income rental units shall remain affordable to low- and moderate-income households for a period of 30 years. Affordability controls on rental units may exceed the prescribed period if the developer agrees to a longer period.
- (4) Housing units created through conversion of a nonresidential structure shall be considered a new housing unit and shall be subject to 30 year controls on affordability.
- (5) Affordability controls on accessory apartments shall be for a period of at least 10 years.
- (6) Supportive and Special Needs Housing units shall be controlled in a manner, suitable to the Council, that provides assurances that such a facility will have (pursuant to N.J.A.C. 5:97-3.5 and 3.6) controls on affordability shall extend for a period of 30 years.

Affirmative Marketing Plan

- A. *Purpose.* The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of sex, age or number of children, to housing units which are being marketed by a developer/sponsor, municipality and/or designated administrative agency of affordable housing. The Township's plan will address the requirements of N.J.A.C. 5:80-26.15. In addition, the plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of race, color, sex, religion, disability, age, familial status/size, sexual orientation or national origin.
- B. Affirmative marketing plan. The Township of Belleville is in the housing region consisting of Essex, Morris, Union and Warren Counties. The affirmative marketing program is a continuing program and will meet the following requirements:
- (1) Advertising and posting information.
 - (a) All newspaper articles, announcements and requests for applications for low- and moderate-income units will appear in the following daily and/or weekly regional newspapers/publications:
 - (a) Star Ledger
 - (b) Belleville Post
 - (b) At least one advertisement broadcast to the entire housing region:
 - i. WFNY-FM92.3
 - (c) All newspaper articles, announcements and requests for applications for low and moderate income housing will appear in the following neighborhood-oriented medium. In addition, local religious publications and organizational newsletters within the region will also be requested to assist in the effort.
 - i. Township website
 - (d) The following is a listing of community organizations in Essex, Morris, Union and Warren Counties, that will aid in the affirmative marketing program, with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region:

- i. Catholic Social Services
- ii. American Red Cross
- iii. Center for Family Services
- iv. Volunteers of America

(e) Quarterly flyers and applications will be sent to each of the following agencies for publication in their journals and for circulation among their members:

- i. Board of Realtors in Essex, Morris, Union and Warren Counties
- ii. Catholic Social Services
- iii. American Red Cross
- iv. Center for Family Services
- v. Volunteers of America

C. The primary marketing will take the form of at least one press release sent to the above publications and a paid display advertisement in each of the above newspapers. Additional advertising and publicity will be on an “as needed” basis.

(1) The advertisement will include a description of the:

- (a) Street address of units;
- (b) Direction to housing units;
- (c) Number of bedrooms per unit;
- (d) Range of prices/rents;
- (e) Size of units;
- (f) Income information; and
- (g) Location of applications including business hours and where/how applications may be obtained.

D. The following is the location of where applications, brochure(s), signs(s) and/or poster(s) used as part of the affirmative marketing program including specific employment centers within the region of Essex, Morris, Union and Warren will be displayed:

- (1) Belleville Municipal Building
- (2) Belleville Library
- (3) Essex County Hall of Records
- (4) Developer's sales office

(5) Major employers in the region

- E. Mailing applications. Applications will be mailed to prospective applicants upon request. Additionally, while openings or waiting lists are being developed, and potential applicants solicited, quarterly informational circulars and applications will be sent to the chief administrative employees of each of the following agencies in Essex, Morris, Union and Warren Counties:
- (1) Welfare or Social Service Boards
 - (2) Rental Assistance Office (local office of DCA)
 - (3) Office on Aging for the Counties
 - (4) Housing Agency or Authority
 - (5) Essex County Administrative Services Building
 - (6) Area Community Action Agencies and Community Action Programs
- F. Selection process. The Township, through an agent to be appointed ("the township's housing agent"), shall be responsible for implementing and conducting the selection process that will be used to select occupants of the low- and moderate-income housing. Following is a description of the random selection method that will be used to select occupants of low- and moderate-income housing.
- (1) After advertising is implemented, applications are accepted for 60 days.
 - (2) All applications are reviewed and households are either certified or informed of non-eligibility. (The certification is valid for 180 days and may be renewed upon updating income verification information.)
- G. Eligible households are placed in applicant pools based upon the number of bedrooms needed.
- H. When a unit is available only the certified household in need of that type of unit are selected for a lottery.
- I. Households are informed of date, time and location of the lottery and invited to attend.
- J. After the lottery is concluded, the first household selected is given 10 days to express interest or disinterest in the unit. (If the first household does not accept the unit the process continues until a certified household selects the unit.)
- K. The Township is ultimately responsible for administering the affirmative marketing program. The Township's housing agent, in administering the affirmative marketing program, shall have the responsibility to:

- (1) Income qualify low- and moderate-income households as per COAH's procedure for income eligibility certification.
 - (2) Provide for the initial occupancy of low- and moderate-income units with income qualified households through the aforementioned lottery process;
 - (3) Continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls;
 - (4) Assist with advertising and outreach to low- and moderate-income households; and
 - (5) Enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.1 et seq.
- L. The Township's housing agent will also coordinate and provide linkage to low- and moderate-income applicants to receive counseling on subjects such as budgeting, credit issues, mortgage qualification, responsibilities of homeownership, rental lease requirements, and landlord/tenant law. The superintendent of planning within the Township is the designated housing officer to act as liaison to the responsible developer(s) and the Township's housing agent.
- M. Households who live or work in the COAH-established housing region may be given preference for sales and rental units constructed within that housing region.
- N. Applicants living outside the housing region will have an equal opportunity for units after regional applicants have been initially serviced. The Township of Belleville intends to comply with all UHAC regulations, N.J.A.C. 5:80-26.1 et. seq.; and
- O. All developers of low- and moderate-income housing units will be required to assist the Township's housing agent in the marketing of the affordable units in their respective developments.
- P. Commencement of marketing plan. The marketing program will commence at least 120-days before the issuance of either temporary or permanent certificates of occupancy. The marketing program will continue until all low- and moderate-income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or re-occupancy of units continue to be necessary; and Reporting requirements. The responsible developer(s) will assist the Township's housing agent in complying with monitoring and reporting requirements as per N.J.A.C. 5:96-11.

Draft Affordable Housing Trust Fund Spending Plan Belleville Township, Essex County, NJ

INTRODUCTION

Belleville Township, Essex County has a development fee ordinance that was approved by the Council On Affordable Housing (COAH) on _____. This spending plan is prepared in accordance with N.J.A.C. 5:97-8.10 and includes the following:

1. Projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historic rate of development activity.
2. A projection of revenues anticipated from other sources, including contributions from developers as a result of negotiated agreements, payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned.
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues.
4. A description of the anticipated use of all development fees, pursuant to N.J.A.C. 5:97-8.7, 8.8 and 8.9.
5. A schedule for the expenditure for all affordable housing trust funds.
6. If applicable, a schedule for the creation and/or rehabilitation of housing units.
7. If the municipality is supporting or sponsoring public sector or non-profit construction of housing, a pro-forma statement of the anticipated costs and revenues associated with the development, consistent with standards required by the Agency in its review of funding applications.
8. If the municipality maintains an existing affordable housing trust fund, a plan to spend the trust fund balance as of the date of its third round petition within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council.
9. The manner in which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan.
10. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees will be deposited in a separate interest-bearing account in _____ Bank for the purposes of affordable housing.

1. PROJECTION OF REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated between August 1, 2008 and the expiration of substantive certification, Belleville Township considered the following:

- (a) Anticipated non-residential projects, which will have development fees imposed upon them due to P.L.2008, c.46, are anticipated to provide \$232,113 in development fees at issuance of building permits and/or certificates of occupancy during the period of substantive certification.
- (b) Residential development projected to begin construction based on historic rates of development is anticipated to provide \$405,963 in development fees during the period of substantive certification.
- (c) Interest on the projected revenue in the housing trust fund at the current average interest rate is anticipated to provide \$19,142 (assuming 3% straight interest) to accrue to the affordable housing trust fund during the period of substantive certification.

PROJECTED NEW DEVELOPMENT & RESULTING DEVELOPMENT FEES												
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Residential	2	9	10	4	8	9	10	9	10	8	10	89
A3 - Assembly	0	1,500	0	0	3,000	0	0	4,500	0	800	0	9,800
A4 - Assembly	0	0	2,000	0	0	0	1,500	0	0	2,400	0	5,900
B - Office	2,000	0	4,000	0	1,750	3,000	0	1,500	0	10,000	0	22,250
M - Retail	1,000	0	2,500	0	3,000	0	7,500	0	3,500	0	2,000	19,500
S - Storage	2,000	1,000	0	5,000	0	10,000	0	15,000	0	25,000	0	58,000
Total	5,002	2,509	8,510	5,004	7,758	13,009	9,010	21,009	3,510	38,208	2,010	115,539
PROJECTED NEW DEVELOPMENT ASSESSMENT VALUE												
Residential	\$608,184	\$2,736,828	\$3,040,920	\$1,216,368	\$2,432,736	\$2,736,828	\$3,040,920	\$2,736,828	\$3,040,920	\$2,432,736	\$3,040,920	\$27,064,188
A3 - Assembly	\$0	\$127,500	\$0	\$0	\$255,000	\$0	\$0	\$382,500	\$0	\$68,000	\$0	\$833,000
A4 - Assembly	\$0	\$0	\$170,000	\$0	\$0	\$0	\$127,500	\$0	\$0	\$204,000	\$0	\$501,500
B - Office	\$360,000	\$0	\$720,000	\$0	\$315,000	\$540,000	\$0	\$270,000	\$0	\$1,800,000	\$0	\$4,005,000
M - Retail	\$160,000	\$0	\$400,000	\$0	\$480,000	\$0	\$1,200,000	\$0	\$560,000	\$0	\$320,000	\$3,120,000
S - Storage	\$0	\$0	\$0	\$275,000	\$0	\$550,000	\$0	\$0	\$0	\$0	\$0	\$825,000
Total	\$1,128,184	\$2,864,328	\$4,330,920	\$1,491,368	\$3,482,736	\$1,691,170	\$4,368,420	\$3,389,328	\$3,600,920	\$4,504,736	\$3,360,920	\$36,348,688
PROJECTED NEW DEVELOPMENT FEE												
Residential	\$9,123	\$41,052	\$45,614	\$18,246	\$36,491	\$41,052	\$45,614	\$41,052	\$45,614	\$36,491	\$45,614	\$405,963
A3 - Assembly	\$0	\$3,188	\$0	\$0	\$6,375	\$0	\$0	\$9,563	\$0	\$1,700	\$0	\$20,825
A4 - Assembly	\$0	\$0	\$4,250	\$0	\$0	\$0	\$3,188	\$0	\$0	\$5,100	\$0	\$12,538
B - Office	\$9,000	\$0	\$18,000	\$0	\$7,875	\$13,500	\$0	\$6,750	\$0	\$45,000	\$0	\$100,125
M - Retail	\$4,000	\$0	\$10,000	\$0	\$12,000	\$0	\$30,000	\$0	\$14,000	\$0	\$8,000	\$78,000
S - Storage	\$0	\$0	\$0	\$6,875	\$0	\$13,750	\$0	\$0	\$0	\$0	\$0	\$20,625
Total	\$22,123	\$44,240	\$77,864	\$25,121	\$62,741	\$68,302	\$78,801	\$57,365	\$59,614	\$88,291	\$53,614	\$638,075

*Note that 2008, 2010 and 2011 number of units are less than projections due to development that has already received a CO or is apart of a developer's agreement

Belleville Township projects a total of \$657,217 in revenue to be collected between August 1, 2008 and the expiration of substantive certification. All development fees, payments in lieu of

construction and other funds listed above will be deposited in a separate interest-bearing account in _____ Bank and all interest earned on the account will accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues will be followed by Belleville Township:

(a) Collection of development fee revenues:

The Planning Board Secretary notifies the Construction Official whenever preliminary, final or other applicable approval is granted for a development which is subject to a development fee.

When a request is made for a building permit, the Construction Official determines if the project is subject to the imposition of a mandatory development fee.

If so, the Construction Official will notify the Township Tax Assessor to calculate the approximate value of the project and set the fee based on:

- (a) For residential fees: the equalized assessed value;
- (b) For non-residential fees: the equalized assessed value;

The developer will pay up to 50 percent of the estimated development fee to the Construction Official at the time the building permit is issued. The funds are then forwarded to the Township Construction Official and deposited in the affordable housing trust fund.

The balance of the development fee will be paid by the developer to the Construction Official at the issuance of the certificate of occupancy. The funds are then forwarded to the Township Construction Official and deposited in the affordable housing trust fund.

(b) Distribution of development fee revenues:

The Planning Board adopts and forwards a resolution to the governing body recommending the expenditure of development fee revenues as set forth in this spending plan. The governing body reviews the request for consistency with the spending plan and adopts the recommendation by resolution.

The release of funds requires the adoption of the governing body resolution in accordance with the Court-approved spending plan. Once a request is approved by resolution, the Township Construction Official releases the requested revenue from the trust fund for the specific use approved in the governing body's resolution.

3. DESCRIPTION OF ANTICIPATED USE OF DEVELOPMENT FEES

- (a) Belleville Township will dedicate \$400,000 to rehabilitation, which is exempt from the affordability assistance requirement.

The Township will use these funds to create a municipal rehabilitation program to help qualifying low and moderate income households who own their home to rehabilitate one or more major systems (i.e. roof, plumbing, heating, etc.) of the house to keep the housing stock of Belleville from falling into disrepair.

- (b) Belleville Township will dedicate \$155,774 from the affordable housing trust fund to render units more affordable, all of which will be used to render units more affordable to households earning 30 percent or less of median income by region.

The Township will use these funds to subsidize new affordable units and make them affordable to households making 30 percent or less of median income.

- (e) Belleville Township will dedicate up to 20% or \$51,444 from the affordable housing trust fund to be used for administrative purposes as follows:

The fee will be utilized for administrative purposes such as salaries and benefits for municipal employees or consultant fees necessary to develop or implement municipal housing programs such as rehabilitation, new construction, housing elements and/or affirmative marketing programs. Administrative funds may be used to income qualify households and monitor implementation. Development fees may be used to defray the costs of staff or consultants that are preparing or implementing a Fair Share Plan.

SPENDING PLAN CALCULATION SUMMARY	
Existing Balance (As of August 1, 2008)	\$0
Anticipated non-residential project fees	\$232,113
Residential development based on historic trends	\$405,963
Interest	\$19,142
TOTAL PROJECTED REVENUE	\$657,218
Funds used for rehabilitation	(\$400,000)
TOTAL SUBJECT TO AFFORDABILITY ASSISTANCE REQUIREMENT	\$257,218
Affordability assistance (minimum 30% of above total)	(\$155,774)
Very low income households (minimum 13% of above allotment)	(\$155,774)
Administration (maximum of 20% of total projected revenue)	(\$51,444)
REMAINING FUNDS FOR OTHER HOUSING ACTIVITY	\$50,000
Additional costs to cover shortfalls in other affordable projects	(\$50,000)
BALANCE	\$0

4. SCHEDULE FOR CREATION AND/OR REHABILITATION OF HOUSING UNITS

The Township of Belleville intends to use development fee revenues for the rehabilitation of housing units. In addition, development fees will be spent on affordability for very low income households and for administrative purposes. The rehabilitation schedule will parallel the schedule set forth in the Housing Element and Fair Share Plan as follows:

FUNDS ANTICIPATED BY YEAR												
Activities	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	
Rehabilitation	\$0	\$0	\$0	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$40,000	\$0	\$400,000
Affordability Assistance	\$15,000	\$14,774	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$155,774
Administrative Purposes	\$0	\$0	\$0	\$11,000	\$10,444	\$10,000	\$10,000	\$10,000	\$0	\$0	\$0	\$51,444
Other Activities	\$0	\$0	\$0	\$12,000	\$13,000	\$12,000	\$13,000	\$0	\$0	\$0	\$0	\$50,000
TOTAL	\$15,000	\$14,774	\$14,000	\$97,000	\$97,444	\$96,000	\$97,000	\$84,000	\$74,000	\$54,000	\$14,000	\$657,218

6. UNEXPECTED SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of Belleville Township should adopt a resolution agreeing to fund any shortfall of funds required for implementing their housing programs. In the event that a shortfall of anticipated revenues occurs, Belleville Township will bond for the shortfall. A copy of the adopted resolution is attached.

SUMMARY

Belleville Township intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.10 and in conjunction with the housing programs outlined in the housing element and fair share plan dated September 2008.

Belleville Township has collected \$0.00 to date and anticipates an additional \$657,218 in revenues before the expiration of substantive certification for a total of \$657,218. The municipality will dedicate \$400,000 towards a municipally-sponsored rehabilitation program, \$155,774 for affordability assistance to render units more affordable, and \$51,144 to administrative costs. Any shortfall of funds will be offset by trust fund balance and municipal resolution to bond to cover costs.